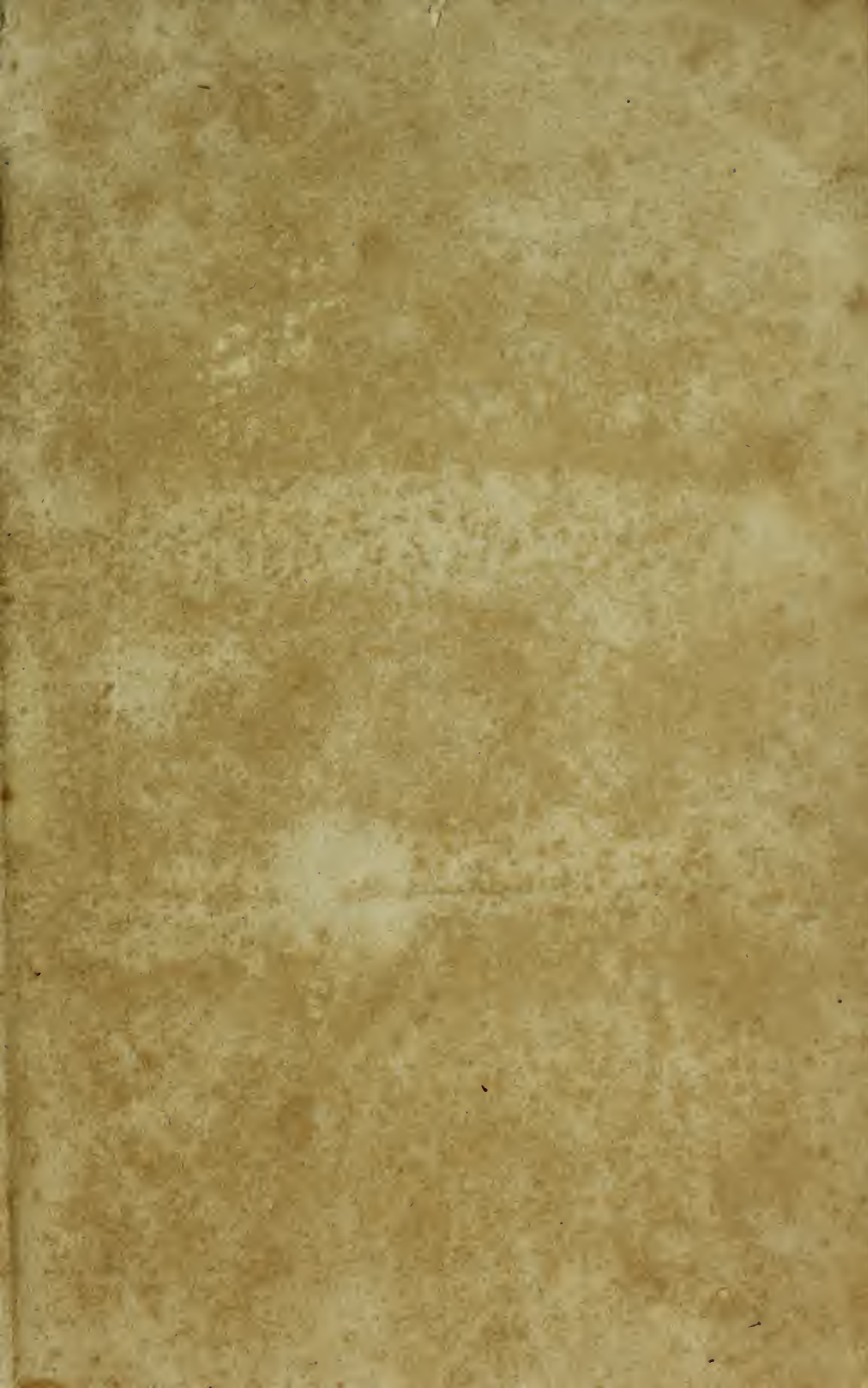


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H. NILES, EDITOR.

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NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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HEALTH OF BALTIMORE. <i>Interments for the week, ending yesterday morning, August 31st, at sun-rise.</i>					
		malignant.	other.	total.	under 3. col'd.
Aug. 25,	4	3	7	1	0
26,	4	8	12	4	5
27,	6	8	14	5	1
28,	10	8	18	4	1
29,	1	5	6	1	2
30,	7	8	15	4	2
31,	2	7	9	2	0

Whole number of interments 61

PROGRESS OF FAUPERISM. We have several times alluded to the alarming increase of pauperism—one of the most conclusive evidences, perhaps, that can be offered to shew the necessity of doing something to furnish employment, by which the laboring classes, as heretofore, may be enabled to support their own aged and feeble relatives—which they would gladly do, if they could; for there is something in the disposition of an American much opposed to suffering a friend to go to the poor-house. Our documents in relation to this interesting subject are not numerous; but, with a view to enable political economists and statesmen to arrive at some reasonable conclusions, we shall, from time to time, notice such as we receive.

By a statement from the directors of the poor, for Bucks county, Pennsylvania, it appears that, during the year 1817, the average amount of paupers maintained in the alms-house of that county was 130; in 1818, 163; in 1819, 185; in 1820, 210—at present 206, we believe, for we cannot certainly tell what are the two last figures in the statement before us. The population of Bucks county, just ascertained by census, is 37,842, and shews that one out of every 182 persons are paupers, subsisted in the poor-house of the county. Out-door paupers are not mentioned, but we believe that, generally, in Pennsylvania, many are partially maintained at private houses.

BANKING! The "Union" remarks that in ten counties of Pennsylvania, one hundred and ninety estates are advertised for sale by the sheriff. [If we are to place any respect on the lullabies of newspaper *tracheophants*, these sales by the sheriff must be taken as *proofs* of public prosperity—of an enviable state of society—of good government—of wise counsels—well regulated establishments—pre-eminent wisdom—domestic comfort—and so much more social superiority as compared with all the world besides—makes all the world besides look foolish!]*—Aurora.*

WESTERN CURRENCY. The Kentucky Argus of the 9th inst. states, that the last *half million* of the paper of the Bank of the Commonwealth, first ordered to be issued, was daily expected at Frankfort, and would be immediately prepared for circulation. It appears that two and an half millions of paper have already been issued by this institution, the notes of which are now 32 per cent. below par.

During the last week, the editor of the REGISTER received two remittances of \$5 each, from the state of Kentucky. One was a note of the bank of the Vol. XXI.—1.

United States, which the gentleman who sent it said had cost him *seven dollars and an half*—the other a bill of one of the Virginia banks, which, in like manner, the editor was informed had cost his subscriber *seven dollars!*

APPRAISEMENT LAW OF OHIO. We noticed a case in the last volume, page 375, wherein a certain quantity of wheat, then selling at 25 cents, was valued, on oath, at 75 cents per bushel; we are now presented with a case under the same law, operating reversely to the preceding—which, together, go to shew the inefficiency and inexpediency of all such laws:—

A certain *Nehemiah Wood*, of Gallia county, Ohio, on the 10th ult. informs the editor of the Scioto Gazette, that—"On a judgment before justice Cherrington, against John C. Wylie, in favor of John Switzers, an execution issued to constable Hughes, who levied on a wool-carding machine, and selected David Ridgemay, George Eagle and Philip Wolfenbarger, to appraise the same; and, after being sworn, these men appraised the machine to \$25, and four shillings; and to my certain knowledge, the same machine cost \$500, *without the cards*, and is now in *complete operation*, and doing good work, without any repairs other than grinding the cards."

JUDGE WASHINGTON AND HIS SLAVES. From the Leesburg "Genius of Liberty," of August 21. "On Saturday last a *drove* of negroes, consisting of about 100 men, women and children, passed through this town for a southern destination.

"*Fifty-four* of the above unhappy wretches were sold by Judge Washington, of Mount Vernon, *president of the mother colonization society.*"

The preceding having been published in the Baltimore "Morning Chronicle," the following letter, addressed to the editor, appeared in that paper on the subsequent day:

"SIR: I have it my power to give you some information respecting the charge that appears in your paper of the 24th, against Judge Washington. I was at Mount Vernon a few days since, and was told by some of the slaves, whose countenances were remarkably indicative of despondency and dejection, that, more than fifty of their companions (59 I believe) had been sold but a week before to go to New Orleans, for ten thousand dollars, the whole. One would have thought that the poor creatures who were left, the aged and blind, had lost every friend on earth. I enquired the reason. They answered, that husbands had been torn from their wives and children, and that many relations were left behind. Take the following comment: I asked an old slave if he was living at Mount Vernon when GEORGE WASHINGTON died. His answer was "no, sir—not so lucky—I should not be a slave *now* if I had." The reader ought to know that GEORGE WASHINGTON set all his slaves free upon his death, and that Judge Washington is *his* nephew."

Judge Washington, certainly, has as much right to sell his slaves as any other owner of them has—but there is something excessively revolting in the fact that a herd of them should be driven from Mount Vernon, sold by the nephew and principal

heir of GEORGE WASHINGTON, as he would dispose of so many hogs or horned cattle; violating every tie that fastens on the human heart, and dissolving the connection of husband and wife, mother and child! We do hope that there is some mistake about this matter.

THE SUSQUEHANNAH. A very numerous and respectable meeting of the citizens of Baltimore was held at the Exchange last week, for the purpose of appointing a committee to attend a public meeting which was to be held at Lancaster, Pa. for the purpose of adopting some measures to improve the navigation of the Susquehanna, from the town of Columbia to the Maryland line. R. G. Harper, Thomas Ellicott, Isaac McKim, John Stricker, John E. Howard, jun. Eli Balderson, Joseph Patterson and Isaac Tyson were appointed the committee.

The improvement of the navigation of this river between the points stated, will open to Baltimore an easy communication with some of the richest parts of Pennsylvania and New-York, and, in time, perhaps enable this city liberally to partake in the trade of the great lakes. A very short canal will open a water communication with Ontario. A writer in the Baltimore American, who appears well to understand the subject, says—"It may not be amiss here to make the following summary:

1. From Erie to New-York the distance is six hundred and twenty miles, having more than half the way to canal.

2. From Erie to Philadelphia the distance is about five hundred and twenty miles, with about fifty-five miles canal.

3. From Erie to Baltimore the distance is about four hundred and fifty miles, requiring of canal only twenty-three miles.

In this estimate, be it remembered, that I do not assume the distance on a right line, but the distance to be navigated, and this result appears:

From Erie to New-York 620 miles.

From Erie to Philadelphia 520 miles.

From Erie to Baltimore 450 miles.

Making in favor of Baltimore, compared with New York, a difference of one hundred and seventy miles; and compared with Philadelphia, a difference of seventy miles. But the difference in distance alone does not constitute the advantage of Baltimore. It is the fact, that the shortest distance has the greatest extent of natural water carriage, not to be taxed for labor or money. It is as evident to my understanding, as the sun in the meridian to my eyes, that we have great natural advantages over the neighboring cities; and that it is only necessary to improve a little the facilities of our communication with the countries west and north of us, to give us all that our ambition could desire."

It is estimated that 1000 vessels, of from 50 to 100 tons burthen and upwards, are employed in in what may be called the trade of the Chesapeake and its waters—and it is thought, that if the Susquehanna was properly improved, this amount of vessels would be doubled. The waters of this river, it is calculated, afford an inland navigation of 1,830 miles!—a canal of 16 miles will unite them with the navigable streams of the western world—another of 23 miles with those of lake Erie; another of 19, with those of Ontario!

SOMETHING NEW! The "National Intelligencer" says—"We have had occasion, from time to time, to notice various projects which have been presented to the people of the United States for increasing the duties on imports—a policy which is

generally supported on the plea of protection due to our own manufactures, but sometimes on its own merits, as a measure necessary to establish an equipoise of imports and exports. We deprecate a course of experiments to reduce imports and exports to a state of equality, the end of which we apprehend would be, that no trade would be left to us to regulate. In our view, things are best as they are. The balance of trade will regulate itself. If exchange is against us, importations will diminish in amount, and will be less and less until the scale turns. But, if any attempt is made to change the present tariff, we have heretofore suggested, the manufacturers will have cause to rue the day of its success; for it will be a change very different from that which they are in pursuit of. They may now regard the danger which we foresee as a chimera of the brain; but they may rest assured, they will sooner or later realize its existence. The agricultural interest is so powerful in this republic, that, when united, its voice must prevail in congress, on all questions of general policy. A jealousy has been unwisely cultivated between it and the manufacturing interest, by the railings and denunciations of the writers for the newspapers, which is unfavorable to the further encouragement of manufactures, and will be felt whenever this question comes up. We hope it will not be carried so far as to produce a material reduction of the present duties on imported goods. But that this apprehension is not ideal merely, will, we presume, be admitted, on perusing the following concluding paragraphs of a conspicuous essay over the signature of *Germanicus*, published in the Winchester, (Va.) Republican. We publish this extract, not because we approve ourselves such *ultra* doctrines as are here disclosed, but we hold it up as a beacon to the well intentioned friends of the manufacturing interest, warning them of the sunken rocks which lie a-head, and which it were madness in them not to avoid."

Extracts from an essay in the Winchester Republican, undersigned Germanicus.

"By abolishing taxes on foreign imports, one other great object in view may be accomplished—one of the highest import to this country—I mean commercial treaties with other nations, especially France and England, might be accomplished. We might persuade the latter to open to us the West Indies. We might gain other advantages. Any how, we ought not to play too much *les precieux*, for if South America is tranquilized in some shape or other, (which will soon happen,) the United States' exportation will not be much benefitted by it.

"But you ask me, if we abolish our present system of taxation, what shall we put in its stead. I answer, direct tax.

"Let, at a given time, say twelve months, (equal to the consumption of the present stock of goods on hand,) the tax on foreign imports be taken off; let that very day a direct income tax take place; let distilleries be taxed; let that tax fall, in an increased ratio, on the rich—on those who have large yearly incomes without labor—on the shavers; let bank stock be taxed, if concentrated over a certain sum in one individual. This would be something like a fair division of the burthens of the government among the whole nation; it would re-establish primitive simplicity and morality among the laboring class of the community, infuse a new spirit into the body politic, and make the United States what they ought to be—a pattern of honor, integrity and simplicity, for all other nations."

REMARKS BY THE EDITOR OF THE REGISTER.

"Understood?"—Perhaps so.—The editors express a hope that the "jealousy" which has been created by "railings," &c. will not be carried so far by the "agricultural interest" as "to produce a material reduction in the present duties on goods imported." Would to Heaven, that the "agricultural interest" had power to act directly upon the case—not to increase or diminish the duties, but to apply common sense, derived from a common interest, to the affairs of government, through the agency of men who know what labor is—who "hold or drive" the plough! But these common-sense men are nearly driven out of congress by those who argue on the essential "difference between tweedle dum and tweedle dee," by a neglect of the great concerns of the nation for matters of etiquette and intrigue. How different is the meeting of those called the representatives of the people in our day, from that of those who planned and carried us through the revolution! I am told by many old men, who had been present when the revolutionary congress was in session, and who have also seen the congresses of recent times, that there is more sheer *spouting* in the latter in one week than there was in the former in three months. There have been *chatterers* in every age, but the majesty of virtue and devotion to business soon frowned such things into nothing, in "the times that tried men's souls." Speeches were not then measured by the hour, like fustian is by the yard—and deliberative judgment, sound discretion and zeal for the cause, were the only things that could secure the respect of the house and claim its time or attention. But now, it seems as if the people thought that no one was fit for the business of legislation, that is not, professionally, a talker—a *man of words*; and of these, about two thirds of both houses is composed; as to many of whom, a man like Franklin would say more on *business* in a remark of five minutes than they could say in a century, much as they speak to "beggary accounts of empty" benches and half-sleeping colleagues. The people of the United States are a hard-working, sober, thinking people—and it is by such that they should be represented. If productive men and men of business—such as practical farmers, mechanics and manufacturers, with some merchants and a few of what are called the "learned professions" composed the congress, we should have much less speaking but much better laws. There is nothing more disgusting to the reflecting republican, than to behold the state of the house of representatives when one of these speech-makers in delivering himself—it calls to his imagination a faint picture of what he may suppose was the condition of Chaos before the ALMIGHTY FIAT called things to order: it will present an image of *any* thing better than that of a deliberative assembly, charged with the interests of a great and rising nation.

But why do the editors of the "Intelligencer" express a "hope" the duties will not be reduced?—for the benefit of the *manufacturers*?—We think not, we do not desire it; we do not wish that any thing may be done to favor any particular class; and would draw back, if we could, the *fifty millions* that have been given up to the *importing* interest of the United States. The reason of this "hope" we apprehend is, that the *revenue* may not be diminished, that government may have the ways and means of supporting itself, without alarming the people with a knowledge of the amount of tax which they have really paid, and must pay, to keep their machine in motion. Many members of con-

gress were quite *horrified* at the idea of this—it will not tell well from "the stump," or bear rude criticism at the "cross-roads" tavern. Yet, unfortunate men!—they must do something; their lack of attention has driven them to a fearful responsibility—that of voting according to conscience and the state of the times! Money must be had, and they will have to *collect* it or *borrow* it: the goods imported cannot yield it, because those exported do not amount to a sufficient sum to pay for the requisite quantity—and there cannot be sellers if there are not buyers,—the quantity of the one being necessarily regulated by the quantity of the other. The chief products of the farmer, as calculated for a *foreign* market, if at a short distance in the interior, will hardly pay the cost of transportation, and many would have saved money if they had set fire to their fields of wheat at the moment when it was ready for the sickle. We do not fear a "material reduction" of the duties, though we wish some augmentations, for this simple reason—that the revenue must thereby be lessened, and its deficit be made up by taxes that will be *felt*, direct or by excise. Suppose, for instance, the duty on coarse cottons is lessened, what then? Why the editors of the *Intelligencer* themselves tells us that these are now smuggled into England—so the foreign fabric will not be used more extensively here, because its price is higher and its quality inferior to the domestic. It is thus in regard to many other articles—and besides, the people cannot purchase at any price if they cannot sell; they are compelled to *barter* with one another, and this practice is on the increase. We must aid and help one another, or the mass will become miserable. It may be moderately said, as applicable to the whole interior of the United States, that at least the amount of *twenty* dollars,* in business, is now done in the exchange of one kind of labor for another, for one dollar in value that was so managed six or eight years ago: and necessity is shewing us that the nominal cost of a commodity has little to do with its worth to the consumer: he fixes its real value according to the ease with which he procures it. Wheat may be dear at only 25 cents per bushel or cheap at two dollars. Tens of thousands of the laboring classes are now paid in kind that were paid in money, and hence they *must* use domestic, untaxed goods, for they have not the cash to buy others; and this it is that has so much reduced the amount of our revenue derived from duties on goods imported. There is no mystery in it—it is the natural operation of things.

If I understand the views of the friends of domestic industry, they are more anxious to attain *stability* than entreat *bounty*,* and they have an undoubted right to expect the former. It is true, that in regard to certain manufactures, of *iron*, for example—a manufacture directly pertaining to the independence and safety of the republic, an increase of duty is desirable: not to act as a premium to the manufacturer, but to assure him that his property will not be sacrificed through the designs of his enemies. The principle of Chatham, that America should not manufacture a "hob-nail," still has full force in England, and the people of that country, even yet, really consider those of this as in a qualified state of dependence or subjection, which our servile imitation of their follies and fopperies in some degree justifies. They would govern us in every thing—from the establishment of societies

* Such as on the fisheries, for instance, and *asare* extended to several matters of commerce.

for the suppression of vice and prevention of debauchery, patronised by such a man as the king, to a direction of the best manner of subjecting a forest to the plough! On many occasions, it is well known that conspiracies of Englishmen have existed to check our advance in manufactures. In the year 1784 or 1785, a certain British artist made a spinning machine at Philadelphia, and proposed to carry on the business of manufacturing them for sale—those he made were instantly bought up and sent to England, and the man himself was enticed away by certain arrangements that gave him independency for life. A few years after that, a grand effort was made to purchase up our stock of sheep, on which much money was expended. The circumstances of the late war compelled the establishment of many manufactories, and, when peace took place, they seemed to have sufficient force to go on and speedily supply the home demand: to crush them, enormous quantities of British goods were forced into our market; many large parcels were sold for little more than would pay the duties, and they were ordered to be sold at any price they would fetch. There was nothing hidden in this—it was perfectly known that several hundred thousand pounds sterling had been subscribed to defray the amount of such sacrifices, and for the express purpose of bankrupting the American manufacturers, in which very honorable and charitable intent they completely succeeded for the time—almost every extensive manufactory was stopped, and the few that yet went on feebly did not pay expenses. The present more prosperous condition of our manufacturers, (though many are not yet in a state of resuscitation) has not been caused by the tariff, or any other regulation of our own government, or been suffered to exist through the justice of Englishmen—but arises from the fact that the mighty imports of 1815, 1816, &c. exhausted our country, and because the present quantity of our exports does not furnish a medium sufficient to pay for foreign goods as formerly. The manufacturers do not owe any thing—one atom of gratitude, to their government on the score of protection afforded, and therefore do not fear a “reduction of the duties;” and it is demonstrated, that many of the chief commodities can be made in the United States on as good terms as they can be made in England, such is the advance of labor-saving machinery—but they wish something to be done in evidence of a determination on the part of government to prevent a repetition of the desolations of 1817, through British capital. It is the apprehension of this, that at present locks up millions of dollars that would otherwise be vested in manufacturing establishments. “The burnt child dreads the fire.” If there was security given, that even the present moderate prices for cotton and woolen goods, &c. would remain permanent, the domestic fabrication of both would soon rise up very nearly equal to the demand. The governments of Great Britain, France, Spain, the Netherlands, &c. &c. all give this security to their capitalists and manufacturers, and hence it is that they have severally prospered. Some employed as *workmen* in them, are persons of the highest respectability for talents; for hundreds of youths, after receiving a finished education, are regularly *apprenticed* to the different branches, and hence the perfection that they arrive at. If Great Britain and the United States should agree to throw open their ports and receive all or any of the product or manufacture of each other, duty free, we should not have any objection to the principle of the arrangement: but the “fast anchored isle”

may as easily be “driven from her moorings,” as grant such a reciprocity under her present condition. The surplusses that we might, and, in that case should, raise of bread stuffs, would nearly destroy the public and private revenues derived from landed property, because the taxes and rents could not be paid—they cannot be paid unless wheat fetches about two dollars per bushel, and for this purpose foreign grain is excluded unless it rises to a higher price than that. And then again, our *whiskey* would not only ruin the excise at home, but materially affect the West India islands, and, indeed, weaken the marine force of the nation. It is true, we could not supply all the people of Great Britain with bread stuffs and spirits—but if there was a good market for them, we could soon spare two millions of barrels of flour and fifty millions of gallons of whiskey *per annum*; and we must recollect, that the excess thereby produced would strike immediately at the *whole amount* of bread stuffs raised or spirits distilled in Great Britain and her dependencies; and every body would regard her government as really mad to enter upon such an arrangement. Whatever is essential to her national interests must have some relation to our own; and all that we desire is, to secure for ourselves against her, that degree of protection which she extends to her own people against ours.

If I understand what the editors of the *Intelligencer* mean by the “agricultural interest,” it applies only to the growers of cotton and tobacco, though the real interest of the former is in the establishment of a home-market to balance and regulate the fluctuations of the foreign one. We necessarily arrive at this conclusion, or must believe that the people of the grain-growing states were miserably represented in the last congress—that their interests were wretchedly misunderstood, and their will flagrantly violated by their several members. On the 20th of April, 1820, there was a fair, full, direct vote on the proposed new tariff, and its principle was completely tested. On this occasion, the great grain-growing states of New-York, New-Jersey, Pennsylvania, Delaware, Ohio, Indiana and Illinois, gave only two voices in the negative. Rhode Island was also for it—Connecticut gave 5 votes for and one against it—Massachusetts 10 ayes and 6 noes—Kentucky four in favor, 3 opposed to it. See REGISTER, vol. XVIII, page 178. The rest of the states were against the new tariff—New Hampshire and Vermont for reasons that I have not yet apprehended. A large part of Maryland, Virginia and Tennessee must have the same interest as New York and Pennsylvania, &c. for their products are of the same denomination: the market, domestic or foreign, that is advantageous to the one must be beneficial to the other. The interests of Kentucky are positively the same as those of the other grain-growing states; and her prosperity, more than that of either of them, if seated on the Atlantic, depends upon the establishment of manufactures within herself, to consume and make a market for the products of her agriculture. In speaking thus, I do not wish to encourage the idea that different interests really prevail in the United States to any considerable extent. It is a great blessing that it is not so. It is true, that the commercial interest has cost the nation at least fifty millions; but even this, as the handmaid of agriculture and the arts, has not been positively lost in its full amount. Indeed, I cannot imagine any interest which *ought* to be opposed to the establishment of domestic manufactures, on the principles above stated, except that of the tobacco planters—and how will it affect them?

They can now clothe their slaves as cheap, or cheaper, in domestic goods than with the imported; and the only thing that they have to apprehend is, taxation according to representation and property, without some new equivalent. The growers of grain, cattle, sheep and hogs, of cotton, sugar, &c. &c. are directly interested in the preservation of a home-market; but the grower of tobacco mainly depends on the foreign one. The establishment of manufactures will not take one cent directly out of his pocket in the payment of an exorbitant price for them, nor lessen the foreign consumption of his product in a single pound, and his only apprehension, it seems apparent, must be, about the imposition of internal taxes, without a corresponding advance of the value of his commodity—that resting upon foreign purchasers. But this interest, if it is a separated one, will oppose any “material reduction of the duties on goods imported,” because it will make a material reduction in the amount of revenue received, and hasten the arrival of what it would avoid, internal taxation. For all these reasons, we do not fear what the editors of the *Intelligencer* are so kind as to express a hope may not happen—through the jealousy of the agricultural interest.

As to the essays of “Germanicus,” we think that they are used merely as a “setting pole” on this occasion. The writer seems to expect favors in trade—that if we repeal our taxes on imposts, other nations will repeal theirs. We have shewn that Britain cannot, and we know that France, &c. will not;—no nation, except our own, has ever acted on this principle. The premises, then, being built on sand, the reasonings upon them must be fallacious; and if adopted, terminate in the beggary of the people of United States and the loss of their liberty and independence. And there is one thing that should not be forgotten: there is a possibility that France may become an exporter of tobacco—see last volume, page 382. The “finger of Napoleon” still directs, though he is dead—and neither France or Britain, or any other European country, will ever receive of us what their own spare labor can produce at home, no matter if we can furnish it at half the price—for they know that the one diminishes and that the other adds to their national wealth.

Napoleon Bonaparte.

The following particulars concerning the imprisonment and recent decease of Napoleon Bonaparte are proper matters for record in this work:

On the 22d of July, 1815, after his defeat at Waterloo, Napoleon voluntarily gave himself up to the captain of a British 74 gun ship, the *Bellerophon*, accompanied by a considerable number of persons—from whence he addressed the following letter to the prince regent of England:

“In consequence of the factions which have divided my country, and the hatred of the greatest powers of Europe, I have terminated my political career; and I come, like Themistocles, to place myself under the protection of the British nation. I place myself under her protection and her laws, and which I demand of your royal highness, as the most powerful, the most constant, and the most generous of my enemies.”

It was some time before the allied powers resolved how they should dispose of him; at length, they determined to make him an outlaw for a breach of the treaty by which he had agreed to reside on the isle of Elba; and the rock of St. Helena was fixed upon as the place at which he should be imprison-

ed for life. Apprized of this determination, he issued the following protest:

“I protest solemnly before God and before man, against the violation of my sacred rights, which is committed, in disposing by force of my person and my liberty. I came voluntarily on board the *Bellerophon*. I am not a prisoner; I am an inhabitant of England.

From the moment that I set foot on board the *Bellerophon*, I was under the protection of the English nation. If its government, in giving to the captain of the *Bellerophon* orders to receive me and my suite, meant only to ensure me, it has lost its honor and sullied its flag.

If that act be put into execution, it will be in vain that the English will boast of their loyalty, their laws, and their liberty. British faith will be stained by the hospitality of the *Bellerophon*. I appeal to history to say, whether an enemy, who, after having during 20 years made war against the English nation, comes willingly, upon a reverse of fortune, to seek an asylum under the protection of her laws, can give a more convincing proof of his esteem and confidence; but how have the English requited that confidence and such magnanimity? They have pretended to hold out a friendly hand to that enemy, and when he committed himself to their good faith, they sacrificed him.

NAPOLEON.”

On board the *Bellerophon*, }
at sea, August 4, 1815. }

The following were the directions, &c. issued for his safe keeping:

LORD BATHURST TO THE ADMIRALTY.

Downing street, July 30, 1815.

My lord—I wish your lordships to have the goodness to communicate to rear admiral sir George Cockburn, a copy of the following memorial which is to serve him by way of instruction, to direct his conduct while general Bonaparte remains under his care. The prince regent, in confiding to English officers a mission of such importance, feels that it is unnecessary to express to them his earnest desire that no greater personal restraint may be employed than what shall be found necessary, faithfully to perform the duties of which the admiral, as well as the governor of St. Helena, must never lose sight, namely, the perfectly secure detention of the person of general Bonaparte. Every thing which, without opposing the grand object, can be granted as an indulgence will, his royal highness is convinced, be allowed the general.—The prince regent depends further on the well known zeal and resolute character of sir George Cockburn, that he will not suffer himself to be misled imprudently, to deviate from the performance of his duty.

BATHURST.

When general Bonaparte leaves the *Bellerophon* to go on board the *Northumberland*, it will be the properest moment for admiral Cockburn to have the effects examined which general Bonaparte may have brought with him.

The admiral will allow all the baggage, wine, and provisions, which the general may have brought with him, to be taken on board the *Northumberland*. Among the baggage his table service is to be understood as included, unless it be so considerable as to seem rather an article to be converted into money than for real use.

His money, his diamonds, and his saleable effects (consequently bills of exchange also,) of whatever kind they may be, must be delivered up. The admiral will declare to the general that the British

government by no means intends to confiscate his property, but merely to take upon itself the administration of his effects, to hinder him from using them as a means to promote his flight.

The examination shall be made in the presence of a person named by Bonaparte; the inventory of the effects to be retained, shall be signed by this person, as well as by the rear admiral, or by the person whom he shall appoint to draw up this inventory.

The interest, or the principal, (according as his property is more or less considerable) shall be applied to his support, and in this respect the principal arrangements to be left to him.

For this reason, he can, from time to time, signify his wishes to the admiral, till the arrival of the new governor of St. Helena, and afterwards of the latter; and, if no objection is to be made to his proposal, the admiral or the governor can give the necessary orders, and the disbursement will be paid by bills on his majesty's treasury.

In case of death he can dispose of his property by a last will, and be assured that the contents of his testament shall be faithfully executed.

As an attempt might be made to make a part of his property pass for the property of the persons of his suite, it must be signified, that the property of his attendants is subject to the same regulations.

The disposal of the troops left to guard him must be left to the governor.

The latter, however, has received a notice, in the case which will be hereafter mentioned, to act according to the desire of the admiral.

The general must constantly be attended by an officer appointed by the admiral, or, if the case occurs, by the governor. If the general is allowed to go out of the bounds where the sentinels are placed, an orderly man at least must accompany the officer.

When ships arrive, and as long as they are in sight, the general remains confined to the limits where the sentinels are placed. During this time all communications with the inhabitants is forbidden. His companions in St. Helena are subject during this time to the same rules and must remain with him. At other times it is left to the judgment of the admiral or governor to make the necessary regulations concerning them. It must be signified to the general, that if he makes any attempt to fly, he will then be put under close confinement; and it must be notified to his attendants, that if it should be found that they are plotting to prepare the general's flight, they shall be separated from him, and put under close confinement.

All letters addressed to the general, or to persons in his suite, must be delivered to the admiral or governor, who will read them before he suffers them to be delivered to those to whom they are addressed. Letters written by the general or his suite, are subject to the same rule.

No letter that does not come to St. Helena, through the secretary of state, must be communicated to the general or his attendants, if it is written by a person not living in the island. And their letters, addressed to persons not living in the island, must go under the cover of the secretary of state.

It will be clearly expressed to the general, that the governor and admiral have precise orders to inform his majesty's government of all the wishes and representations which the general may desire to address to it; in this respect they need not use any precaution. But the paper on which such representation is written, must be communicated to them open, that they may both read it, and when

they send it, accompany it with such observations as they may judge necessary.

Till the arrival of the new governor, the admiral must be considered as entirely responsible for the person of general Bonaparte, and his majesty has no doubt of the inclination of the present governor to concur with the admiral for that purpose. The admiral has full power to detain the general on board his ship, or to convey him on board again, when, in his opinion, secure detention of his person cannot be otherwise effected. When the admiral arrives at St. Helena, the governor will, upon his representation, adopt measures for sending immediately to England, the Cape of Good Hope, or the East Indies, such officers or other persons in the military corps of St. Helena, as the admiral, either because they are foreigners, or on account of their character or disposition, shall think it advisable to dismiss the military service in St. Helena.

If there are strangers in the islands, whose residence in the country shall seem to be with a view of becoming instrumental in the flight of general Bonaparte, he must take measures to remove them. The whole coast of the island, and all ships and boats that visit it, are placed under the surveillance of the admiral. He fixes the place which the boats may visit, and the governor will send a sufficient guard to the points where the admiral shall consider this precaution as necessary.

The admiral will adopt the most vigorous measures to watch over the arrival and departure of every ship, and to prevent all communication with the coast, except such as he shall allow.

Orders will be issued to prevent, after a certain necessary interval, any foreign or mercantile vessel going in future to St. Helena.

If the general should be seized with serious illness, the admiral and the governor will each name a physician, who enjoys their confidence, in order to attend the general in common with his own physician; they will give them strict orders to give in, every day, a report on the state of his health. In case of his death, the admiral will give orders to convey his body to England.

Given at the war office, July 30th, 1815.

Foreign office, August 26, 1815.

Lord Bathurst, one of his majesty's principal secretaries of state, has this day notified, by command of his royal highness the prince regent, to the ministers of friendly powers, resident at this court, that, in consequence of events which have happened in Europe, it has been deemed expedient, and determined, in conjunction with the allied sovereigns, that the island of St. Helena shall be the place allotted for the future residence of general Napoleon Bonaparte, under such regulations as may be necessary for the perfect security of his person; and for this purpose it has been resolved, that all foreign ships and vessels whatever, shall be excluded from all communication with, or approach to, this island, so long as the said island shall continue to be the place of residence of the said Napoleon Bonaparte.

On the 7th of August he sailed in the Northumberland 74, for St. Helena, and arrived there on 17th October following—and he was so strictly guarded by vessels cruising round the island, and troops quartered in it on his account, that the mere cost of keeping him a prisoner amounted to about two millions of dollars a year, upon an average, besides what was expended to fortify and strengthen that naturally almost impregnable rock.

Here he remained until the 5th of May, 1821, when he died—of the cause of his death the physicians made the following report:

Longwood, St. Helena, May 6.

Report of appearances on dissection of the body of Napoleon Bonaparte:

On a superficial view, the body appeared very fat, which state was confirmed by the first incision down its centre, where the fat was upwards of one inch and a half over the abdomen. On cutting through the cartillages of the ribs, and exposing the cavity of the thorax, a trifling adhesion of the left pleura was found to the pleura costalis. About three ounces of reddish fluid were contained in the left cavity, and nearly eight ounces in the right. The lungs were quite sound. The pericardium was natural, and contained about an ounce of fluid. The heart was of the natural size, but thickly covered with fat. The auricles and ventricles, exhibited nothing extraordinary, except that the muscular parts appeared rather paler than natural.

Upon opening the abdomen, the omentum was found remarkably fat, and on exposing the stomach, that viscus was found the seat of extensive disease. Strong adhesion connected the whole superior surface, particularly about the pyloric extremity in the concave surface of the left lobe of the liver; and, in separating these, an ulcer, which penetrated the coats of the stomach, was discovered one inch from the pylorus, sufficient to allow the passage of the little finger. The internal surface of the stomach, to nearly its whole extent, was a mass of cancerous disease or schirrous portion advancing to cancer; this was particularly noticed near the pylorus. The cardiac extremity, for a small space near the termination of the œsophagus, was the only part appearing in a healthy state. The stomach was found nearly filled with a large quantity of fluid, resembling coffee grounds.

The convex surface of the left lobe of the liver adhered to the diaphragm. With the exception of the adhesions occasioned by the disease in the stomach, no unhealthy appearance presented itself in the liver.

The remainder of the abdominal viscera were in a healthy state.

A slight peculiarity in the formation of the left kidney was observed.

(Signed)

THOMAS SHORT,
ARCHIBALD ARNOTT,
CHARLES MITCHELL,
FRANCIS BARTON,
MATTH. LIVINGSTON.

The last words he uttered were "*tete-armee*"—but the account says, "what connection they had with his mind is not ascertained." It appears that he was sensible of his approaching exit, had made his will, and designated the spot at which he desired his body might be interred. After death, he was laid out in state, dressed in his green uniform with red facings, with all his stars and orders. A letter from St. Helena, gives the following account of the interment of his remains:—"Bonaparte was buried on Wednesday, the 9th, between the willow trees, in the spot he had pointed out, about a mile and half from Longwood House (by the road.) A procession of the military staff, and all the naval officers, followed the corpse, which was laid on a black car, in a plain mahogany coffin (laid wood and tin within,) and was received, on emerging from the grounds, by a line of 2000 troops, including artillery and a party of marines, with four bands drawn up by the road side. As soon as it

passed, the troops followed to the place of interment, and halted, occupying the road winding along the valley side, above it, while the procession descended by a road made for the occasion, on foot; the body was then borne by 24 grenadiers, from the several corps present, to the grave, where it was deposited with the priest's blessing, in a chamber, within a large stone vault. The chamber was then closed with a large slab, and its edges being filled in to the sides of the vault, the whole level surface was covered with a liquid body of Roman cement. The corpse was deposited under three discharges of 11 pieces of artillery, and the minute guns of the Vigo, which were heard in the intervals between the discharges, moaning in the distance—25 were fired. The vault has since been filled up with stone, and a plain slab laid over it.

St. Helena, May 14."

The following is the order of Napoleon's funeral procession:—

Napoleon Bertrand, son of the marshal.	The priests, in full robes.
Dr. Arnott, 20th regt.	Bonaparte's physician.
Grenadiers.	THE BODY.
{ In a car, drawn by four horses.	{ Grenadiers.
[24 grenadiers—12 on each side, to carry the body down a steep hill, where the car could not go.]	
Count Mon- tholon.	{ Bonaparte's horse, led by two servants.
Servants.	{ Mad. Bertrand and daughter, in an open vehicle.
	{ Servants.
	Servants.
	Naval officers.
	Staff officers.
	Members of council.
Gen. Coffin.	Marq. de Montcheno.
The admiral.	The governor.
Servants.	{ Lady Low and daughter, in an open vehicle.
	{ Servants.
	Servants.
	Dragoons.
	St. Helena volunteers.
	St. Helena regiment.
	St. Helena artillery.
	Sixty-sixth regiment.
	Royal marines.
	Twentieth regiment.
	Royal artillery.

The body of Bonaparte is enclosed in three coffins, of mahogany, lead and oak.

Many speculations and comments have been made in the newspapers on his character; but the "*Aurora*" well observes—"It is amusing—to hear and see what is said by minds of different measure concerning Napoleon. The right to think and speak is not disputed—but it is a right also to re-judge the judges. The character of this man, is not to be measured by a pair of carpenter's compasses and a two foot rule. It requires the study of a great history, a long period of time, and a multitude of contemporary characters and events—and besides the revelation of facts, which will not probably be revealed during this generation, or the century that is passing away. But if this man of the age is to be judged, as we judge of a stage player, who struts his hour upon the stage—there is a ready way—that is by removing the machinery—upon which the plot depends—remove the snow storm, which occurred fifteen days earlier than had been customary in the season—and as people can become prophets after the fact—let them

calculate what might have happened, if that part of the machinery had not formed an essential of the drama—and then balance the prognostics against the prophecies after the fact—and the difference of result will be the amount of criticism."

The following is a chronological account of the principal events in the life of Napoleon Bonaparte, which we take from the Boston "Centinel."

1769, Aug. 15, born at Ajaccio, in Corsica.—1779, March—placed at the military school at Brienne.—1793, an officer of artillery at the siege of Toulon, and appointed general of brigade. 1796, appointed to the command of the army of Italy. May 11, bat. of Lodi. Aug. 3, bat. of Castiglione. Nov. 16, bat. of Arcola. 1797, Feb. 4, surrender of Mantua. April 18, preliminaries with Austria, signed at Leoben. Oct. 17, treaty of Campo Formio with Austria. 1798, May 20, sails for Egypt. July 21, battle of the Pyramids. 1799, May 21, siege of Acre raised. Oct. 7, lands at Frejus. Nov. 9, dissolves the conventional government. Nov. 10, declared first consul. 1800, June 16, bat. of Marengo. July 28, preliminaries with Austria, signed at Paris. Dec. 24, explosion of the infernal machine. 1801, Feb. 9, treaty of Luneville with Austria. Oct. 8, preliminaries with England. 1802, March 27, definitive treaty with England. Aug. 2, declared consul for life. 1803, May 18, English declaration of war. 1804, May 18, declared emperor. November 19, crowned by the pope. 1805, May 26, declared king of Italy. Sept. 24, heads his army, against Austria. Nov. 13, French enter Vienna. Dec. 2, bat. of Austerlitz. Dec. 15, treaty of Vienna, with Prussia. Dec. 26, treaty of Presburg, with Austria. 1806, Sept. 24, marches against Prussia. Oct. 14, bat. of Auerstadt or Jena. Oct. 27, enters Berlin. 1807, Feb. 3, bat. of Eylau against Russia. June 14, bat. of Friedland. July 7, treaty of Tilsit with Russia. 1808, July 7, Joseph Bonaparte made king of Spain. June 29, Joseph Bonaparte evacuates Madrid. Aug. 21, battle of Vimiera. Sept. 27, conferences at Erfurth. Nov. 5, Bonaparte arrives at Vittoria. Dec. 4, surrender of Madrid to Bonaparte. 1809, Jan. 16, battle of Corunna. April 6, war declared by Austria. May 10, French enter Vienna. May 22, battle of Essling or Asperne. July 6, battle of Wagram. October 14, treaty of Vienna with Austria. 1810, March 11, marries Maria Louisa, daughter of Francis II. emperor of Austria. July 9, Holland and the Hanse Towns annexed to the French empire, by decree of Napoleon. August 21, Bernadotte elected crown prince of Sweden. 1811, April 20, the empress delivered of a son, styled king of Rome. 1812, May 2, he heads a vast army against Russia. June 11, arrives at Konigsberg. Aug. 18, Smolensko taken. Sept. 7, battle of Moskwa, at Borodino. Sept. 14, French, under Napoleon, enter Moscow, which is burnt. Oct. 22, French evacuate Moscow. Nov. 9, arrives at Smolensko, Dec. 5, quits the army in the snows. Dec. 18, arrives at Paris. 1813, April—, heads the army on the Elbe. May 1, battle of Lutzen against Russia and Prussia. May 20, battle of Bautzen. June 4, armistice agreed on. June 21, battle of Vittoria in Spain. Aug. 17, hostilities recommence. Austria declared against Bonaparte. Aug 28, battle of Dresden—Moreau killed. Sept. 7, English enter France. Sept. 28, evacuates Dresden. Oct. 18, battle of Leipsic—Bonaparte defeated. Nov. 15, revolution in Holland. Dec. 1, declaration of the allies at Frankfort, 1814, Jan. 4, allies cross the Rhine. March

30, battle of Montmartre, before Paris. April 11, Bonaparte abdicated the throne. May 8, arrives at Elba. 1815, March 1, sails from Elba for France. March 20, arrives at Paris and re-assumes the throne. April 25, is declared an out-law by the sovereigns of Europe, then assembled at Vienna. April —, calls a new house of peers, and chamber of representatives of the French people—Champ de Mai. June 16, defeats the Prussians. June 18, loses his army at Waterloo, near Mount St. Jean. June 21, abdicates the throne a second time. July 22, surrenders himself to an English ship of war, off Rochefort. Arrives at Torbay. Aug 7, sails for St. Helena, where he arrived Oct. 17th, 1815. 1821, May 5, died of a cancer in the breast.

Other papers left by him have arrived in England, to which much importance seems to be attached.

His personal property, said to be worth forty millions of francs, or nearly eight millions of dollars, and to be deposited in the tower of London, the *Gazette de France* says has been bequeathed to his son.

In the British house of commons on the 10th July, Mr. Bennet asked why the signature of Bonaparte's surgeon did not appear to the report of the medical persons inserted in the London *Gazette*—he thought it a remarkable omission! The marquis of Londonderry [Castlereagh] said he could not account for the omission!!

It appears (says a Boston paper) that every mark of funeral respect was paid to his remains; and every precaution used, that they should not be removed from the consecrated spot where he had requested they might rest. To the other precautions a military guard had been added. His faithful followers, *Bertrand* and *Montholon*, had requested to be permitted to take his heart to Europe; but the request had been refused, and the heart, placed in a silver cup filled with spirits, had been buried with the other remains.

The report that when *Bonaparte* died he was, at his own request, full-dressed in a military garb, has been contradicted.

Paris, July 9. "It appears certain, that *Bonaparte* completed his memoirs [which he commenced on his arrival at St. Helena,] a short time before his death. Several copies, it is said, were made of his work, two of which were delivered to gen. *Bertrand* and M. de *Montholon*. The manuscript will, perhaps, make about three volumes—*Jour. de Paris.*"

Army of the United States.

ADJUTANT GENERAL'S OFFICE,
Washington, 16th August, 1821.

GENERAL ORDER.

Since the promulgation of the general order, of the 9th July, 1821, the president of the United States directs the commanding general to announce the following promotions, appointments, and arrangement of officers, to complete, as far as practicable, the organization of the army, in its reduced form.

ARTILLERY.

2d lieut. Samuel Cooper, to be 1st lieut. 6th July, 1821, vice, Parkhurst, deceased.
Brevet 2d lieut Clark Burdine, to be 2d lieut 6th July, 1821, vice, Cooper, promoted.

FIFTH REGIMENT OF INFANTRY.

Brevet 2d lieut Seth M. Capron, to be 2d lieut 4th August, 1821, vice, Stacey, resigned.

Crane's company, fort Wolcott, R. I.—First lieuts. R M Kirby, W Smith; second lieuts. H J Felus, H P Welch.

M'Dowell's company, fort Trumbull, Ct.—First lieuts. T Green, J J Davis; second lieuts. B Vining, L Gates.

Churchill's and Worth's companies, harbor of New York.—First lieuts. D T Welch, P Melendy, W G McNeill, J Symington; second lieuts. G Porter, G Webb, J M Edwards, D D Tompkins.

SECOND REGIMENT.

Roach's company, fort Mifflin, Pa.—First lieuts. G W Gardiner, S Cooper; second lieuts. A C Fowler, M Thomas.

Belton's company, fort M'Henry, Md.—First lieuts. H W Fitzhugh, H S Mallory; second lieuts. J A Dumest, A Stewart.

Funnings' company, West Point, N. York.—First lieuts. R Bache, F L Griffith; second lieutenants J Green, H Gilbert.

Zantlinger's company, arsenal, Watervleit, N. Y.—First lieuts. N Baden, A Lowd; second lieuts. G W Whistler, W C De Hart.

Gates' company, Plattsburg, N. Y.—First lieuts. C S Merchant, C M Eakin; second lieuts. W E Williams, P Morrison.

Heilman's company, fort Niagara, N. Y.—First lieuts. G S Drane, J A Webber; second lieuts. E Harding, J S Hepburn.

Nourse's company, Pittsburg, Pa.—First lieuts. R L Armstrong, W Wells; second lieuts. Thomas P Ridgely, W P Buchanan.

Mountfort's company, Detroit, M. T.—First lieuts. Charles Mellon, J S Abeel; second lieuts. S M'Kenzie, E R Alberti.

Legate's company, Mackinac, M. T.—First lieuts. E Lyon, J Spencer; second lieuts. J A Chambers, J Barney.

THIRD REGIMENT.

Jones' company, Annapolis, Md.—First lieuts. T W Lendrum, R B Lee; second lieuts. S Ringgold, W M Davidson.

Ansart's company, fort Washington, Potomac.—First lieuts. J A Dix, Thomas Childs; second lieuts. J F Hamtramck, J Smith.

Bakers' company, Richmond, Va.—First lieuts. T J Baird, J Hill; second lieuts. F N Barbarin, C Thomas.

Stockton's and Lomax's companies, Norfolk harbor, Va.—First lieuts. E Mackay, G S Wilkins, U S Frazer, J A Adams; second lieuts. G W Corprew, A Brockenbrough, H Garner, W H Kerr.

Wilson's company, fort Johnson, Smithville, N. C.—First lieuts. S Spotts, C M Thurstun; second lieuts. Z J D Kinsley, J M Tufts.

Laval's and Morris's companies, Charleston harbor, S. C.—First lieuts. J W Thompson, J P Taylor, L G de Russey, J C Kirk; second lieuts. W S Newton, C Wharton, J Le Engle, R Lowndes.

Craig's company, arsenal, Augusta, Geo.—First lieuts. J D Graham, S S Smith; second lieuts. L A Rigail, J H Winder.

FOURTH REGIMENT.

Erving's company, fort Jackson, Savannah, Geo.—First lieuts. Charles Despinville, W Wright; second lieuts. W S Maitland, C Burdine.

Payne's company, Fernandina, Amelia Island.—First lieuts. John Monroe, J M Washington; second lieuts. Joseph Strong, J Hopkins.

Bell's and Hober's companies, St. Augustine, East Florida.—First lieuts. S Washburn, J Ripley, W L Booth, T J Gardner; second lieuts. H Brown, E C Sickles, J D Rupp, J T Davidson.

Burd and Sands' companies, St. Marks, Florida.—First lieuts. W L M'Clintock, J L Gardner, James Monroe, J R Vinton; second lieuts. J R Blaney, J R Bowes, G C Hutter, S B Dusenbury.

Pierce and Hayden's companies, Pensacola, Florida.—First lieuts. L Whiting, M S Massey, P H Galt, J W Phillips; second lieuts. Joseph N Chambers, H A Thompson, W Turnbull, E G W Butler.

Humphrey's company, fort St. Philip, Louisiana.—First lieuts. J Schmuck, H K Mead; second lieuts. C Ward, H Bell.

Second lieutenants J. Buckley, of the 6th infantry, and J. Dawson, of the 7th infantry, who were promoted from third lieutenants of ordnance, at the last consolidation, will rank as such from the 1st June, 1821.

The officers whose stations are changed by the foregoing arrangements, will report for duty accordingly, except those attached to the ordnance, quartermaster's, and subsistence departments, who will receive special instructions from the chiefs of those departments.

By order of major general Brown.

JAMES GADSDEN, *Adj. gen.*

Important Law Question.

FROM THE NEW YORK EVENING POST.

FUGITIVES FROM JUSTICE.

The late robbery committed on the Phenix Bank in this city, has given rise to many questions as to the power or legitimacy of pursuing felons, who have fled before the arm of the law into the British dominions, and of there arresting them for trial and punishment in the United States. We will endeavor to cast what little light we can upon the subject, by way of satisfying these inquiries.

It is well known, that by the 27th article of the treaty of 1795, between Great Britain and the United States, a regulation was adopted, providing for the surrender and apprehension of fugitives from justice, who should seek shelter from trial and punishment, in either country, or in the dominions and territories of either. This has been generally considered as a positive and absolute provision, created by treaty, accessory to it, and as one expiring with the same. This doctrine, however, is not correct. A contrary principle has been laid down recently in this state.

In the 4th volume of Johnson's chancery reports, there is a decision that directly settles all doubts, as far as they can be settled by one of our highest legal tribunals. A man by the name of *Daniel Washburn* committed a grand larceny in Upper Canada, by stealing \$4,000 in Montreal bank bills. Washburn came into the United States, and, by virtue of a *mittimus* issued by the recorder of Troy, in this state, was arrested. He was brought before chancellor Kent, by a *habeas corpus*, directed to the sheriff of Rensselaer county, and heard by counsel on the return of the process. His discharge was moved on two grounds: *first*, that the chancellor had no jurisdiction in the case, even if the facts charged upon the prisoner were true, since the crime was committed in Upper Canada, and beyond the jurisdiction and territories of the United States; and *secondly*, that the proof was insufficient to charge the prisoner with the crime alleged, even had it been committed in the state of New York.

After a full hearing, the chancellor laid down the following principles:

First. It is the law and usage of nations, to deliver up offenders charged with felony and other high crimes, who have fled from the country in

which the crimes are committed, into a foreign and friendly jurisdiction.

Secondly. It is the duty of the civil magistrate to commit such fugitive from justice, to the end, that a reasonable time may be afforded for the government here to deliver him up, or for the foreign government to make application to the proper authorities here, for his surrender. If no application is made in a reasonable time, the prisoner will be entitled to his discharge.

Thirdly. The evidence to detain such fugitive from justice, for the purpose of surrendering him to his government, must be such as would be sufficient to commit the party to trial, if the crime had been perpetrated here.

Fourthly. The 27th article of the treaty of 1795, between the United States and Great Britain, was merely *declaratory* of the law of nations on this subject; and, since the expiration of that treaty, the principles of the law of nations remain obligatory on the two nations.

Fifthly. The chancellor or a judge in vacation, has jurisdiction to examine a prisoner before him on *habeas corpus*, and who has been taken into custody on a charge of felony committed in Canada, or a foreign state, from which he has fled; and if sufficient evidence appears against him to remand him, or if there is not sufficient proof to justify his detention, to discharge him."

His honor the chancellor, quoted *Vattel's* law of nations, *Marten's* summary of the law of nations, *Grotius*, and *Burlemaqui*. He also referred to the common law of England, and adduced a chain of British decisions, to shew, that the law of nations was a part of the common law, and of course that the doctrines here laid down were British doctrines, and would be recognized by the courts of England.

Whether an arrest has ever been made in the British provinces, and the questions raised in Washburn's case have ever been brought up and investigated, we cannot say, we are inclined to believe that they never have been agitated beyond the lines. But surely, if the law of nations be a part of the common law, as we know it is, and if the common law of England is the common law of the British provinces, we cannot see why the principles so clearly and judiciously expounded and enforced by chancellor Kent, should not be recognized and cherished in the colonial tribunals of the Canadas. It is for the interest, the peace, and the safety of all nations, that the grasp of the law extend to crime wherever it is perpetrated; it is for the happiness of all countries; that fugitives from justice, who have become outlaws from the great moral community of mankind, should find no asylum nor resting place within the pale of civilization. By the comity of nations, public offenders have never been shielded. Public policy, as well as the dictates of justice, have resulted in the practice of aiding the police of all nations to secure and punish felons and fugitives, according to the *lex loci* of the land, where peace and property were invaded.

Those who flee from the Canadas will find no refuge here; will the civil tribunals of the Canadas, then, deny this doctrine, and protect those who abandon the United States, to escape our state prisons? We think not. We know that fugitives have been seized in Canada and brought to the United States, and we also know that no power here has interfered to arrest the course of punishment. We therefore say, that if the man who has robbed the Phenix bank takes up his abode in any part of the Canadas, it would be legal to pur-

sue, arrest, and bring him back, to atone to the institution which he has defrauded, and to the community that he has injured, in that manner which the laws demand.

Messrs. Adams and Jefferson.

Letter from John Adams to Joseph E. Sprague, of Salem.

Montezillo, Aug. 4, 1821.

SIR—I owe you many thanks for the present of an ingenious, entertaining and valuable oration, pronounced by you on the 4th of July, before the Salem Charitable Mechanic Association. I have read it with great pleasure, as I have all the orations which have been sent me this year. I have been much affected with the remarkable uniformity of principles and sentiments, and coincidence of topics, which pervades them all, although spoken in various cities and distant states. Such an harmonious train of thinking is an augury of great good to our country. It gives us proofs of a national character, of a national public opinion, cheering hopes of a lasting union, prosperity and happiness. Nothing could be more natural than in addressing a Charitable Mechanic Association, you should take notice of the proud reflections on us, so perpetually poured forth in England. This topic has not escaped the notice of any oration I have read this year. I own I am glad to see it. We have been tame and patient under the scalding drops of their contempt too long. It is time for us to arouse ourselves, and to assert honestly our own just pretensions, and show them that their impertinence shall no longer be borne without resentment and retaliation.—The English emissaries in all our cities, who have access to any of the newspapers, are pouring forth their murmurs and complaints under the lash, which shows that it has had its proper effect. It has already produced an appearance of modesty, and more decency, both in England and Scotland. When they treat us like men, I hope we shall treat them like gentlemen.

I am sir, your much obliged and most humble servant,

JOHN ADAMS.

JOSEPH E. SPRAGUE, esq.

FROM THE RICHMOND ENQUIRER.

We are indebted to a friend for the following extract of a letter from Mr. Jefferson, on the subject of col. John Taylor's late work on the constitution of the United States. The compliment which Mr. J. says to it, is as just as it is high.—To the republicans of '98, it must be a source of the highest gratification, that while so many stars are "shooting madly from their sphere," Mr. J. still keeps on the even tenor of his brilliant course, unswayed by the fashionable heresies of the times. We intreat the republicans to weigh well the doctrines of this distinguished man—We intreat those politicians who are designedly, or heedlessly yielding up the rights of the states at the feet of a *self-arrogated* supremacy, and hurrying us into the gulf of consolidation, to pause in their career; to look back to the history of the constitution; and to listen to the warning voice of Jefferson and of Taylor.

Extract of a letter from Th. Jefferson to ———.

"I have read col. Taylor's book of "Construction Construed" with great satisfaction, and I will say with edification; for I acknowledge it has corrected some errors of opinion into which I had slidden without sufficient examination. It is the most logical retraction of our governments, to the original

and true principles of the constitution creating them, which has appeared since the adoption of that instrument. I may not, perhaps, concur in all its opinions great and small; for no two men ever thought alike on so many points. But on all its important questions it contains the true political faith, to which every catholic republican should steadfastly hold. It should be put into the hands of all our functionaries, authoritatively as a standing instruction and true exposition of our constitution, as understood at the time we agreed to it. It is a fatal heresy to suppose that either of our state governments are superior to the federal, or the federal to the states. The people, to whom all authority belongs, have divided the powers of government into two distinct departments, the leading characters of which are *foreign and domestic*, and they have appointed for each a distinct set of functionaries. These have been made co-ordinate, checking and balancing each other, like the three cardinal departments, in the individual states: each equally supreme as to the powers delegated to itself, and neither authorized ultimately to decide what belongs to itself, or to its co-partner in government; as independent in fact as different nations. A spirit of forbearance and compromise, therefore, and not of encroachment and usurpation, is the healing balm of such a constitution: and each party should prudently shrink from all approach to the line of demarcation, instead of rashly overleaping it, or throwing grapples ahead to haul to hereafter. But, finally, the peculiar happiness of our blessed system is that, in differences of opinion between these different sets of servants the appeal is to neither, but to their employers peaceably assembled by their representatives in convention. This is more rational, than the *jus fortioris*, or the cannon's mouth, the *ultima et sola ratio regum*."

The U. S. cadets from West Point, when at Boston, paid a visit to Mr. Adams—on which occasion he delivered to them the following address, to which a committee made a suitable reply.

My young fellow citizens and fellow soldiers.

I rejoice that I live to see so fine a collection of the future defenders of their country in pursuit of honor, under the auspices of the national government.

A desire of distinction is implanted by nature in every human bosom, and the general sense of mankind in all ages and countries, cultivated and uncultivated, has excited, encouraged and applauded this passion in military men, more than in any other order of society. Military glory is esteemed the first and greatest of glories. As your profession is at least as solemn and sacred as any in human life, it behoves you seriously to consider *what is glory?*

There is no real glory in this world or any other, but such as arises from wisdom and benevolence. There can be no solid glory among men but that which springs from equity and humanity; from the constant observance of prudence, temperance, justice and fortitude. Battles, victories and conquests, abstracted from their only justifiable object and end, which is justice and peace, are the glory of fraud, violence and usurpation. What was the glory of Alexander and Cæsar? The glimmering which those "livid flames" in Milton, "cast pale and dreadful," or "the sudden blaze" which far round "illuminated hell."

Different—far different, is the glory of Washington and his faithful colleagues! Excited by no

ambition of conquest or avaricious desire of wealth; irritated by no jealousy, envy, malice or revenge; prompted only by the love of their country, by the purest patriotism and philanthropy, they persevered, with invincible constancy, in defence of their country, her fundamental laws; her natural, essential and inalienable rights and liberties, against the lawless and ruthless violence of tyranny and usurpation.

The biography of these immortal captains, and the history of their great actions, you will read and ruminate night and day. You need not investigate antiquity, or travel into foreign countries to find models of excellence in military commanders, without a stain of ambition or avarice, tyranny, cruelty or oppression, towards friends or enemies.

In imitation of such great examples, in the most exalted transports of your military ardor, even in the day of battle, you will be constantly overawed by a conscious sense of the dignity of your characters as men, as American citizens, and as Christians.

I congratulate you on the great advantages you possess for attaining eminence in letters and science, as well as in arms. These advantages are a precious deposit, which you ought to consider as a sacred trust, for which you are responsible to your country, and to a higher tribunal. These advantages, and the habits you have acquired, will qualify you for any course of life you may choose to pursue.

That I may not fatigue you with too many words, allow me to address every one of you in the language of a Roman dictator to his master of the horse, after a daring and dangerous exploit for the safety of his country,

"Macte virtute esto."

Nantucket.

FROM THE BOSTON PATRIOT.

A gentleman, who recently visited Nantucket, had the curiosity while there, to take minutes from the records of the first settlement of that place, from which we have taken the following facts:

This now flourishing island, inhabited by an industrious and enterprising people, whose prosperity has kept pace with their general activity in business, was originally in possession of the native Indians. In 1660, May 10, sachems Wanacmainack and Nickanorss, for, and in behalf of their people on said island, in consideration of 26l. sterling, conveyed by deed, about half the island, including the town of Nantucket, to the ten first purchasers, who afterwards took in other associates. The charter-right to the island, was bought by Th. Mayhew, of Watertown, of Joseph Firreck, steward to lord Sterling, in 1641, and afterwards sold by said Mayhew to Tristram Coffin, and his associates, who settled there in 1659 under the above title.

The original record of Peter Folger, now in the recorders office at Nantucket, shows him to have been grandfather to Dr. Franklin, whose mother was born on the Island. The first death recorded, is that of Jane, wife of Richard Swaine, on 31st October, 1662; and the first birth was Mary, daughter of Nat. Starbuck, on 30th March, 1663.

Whaling was first carried on from Nantucket, in boats, in 1672, by James Loper, between whom and the inhabitants of the island the following agreement was framed:

5th. 4m. 1672. James Loper doth Ingage to Carrey on a Designe of Whale Catching on the

Island of Nantucket, that is to say, James Ingages to be a third in all respects, and some of the Town Ingages also to Carrey on the other two thirds with him in Like manner, the Town doth also Consent that first one Company shall begin, and afterwards the rest of the freeholders, or any of them have Liberty to set up another Company provided, they make a Tender to those Freeholders that have no share in the first Company, and if any refuse the Rest may go on themselves, and the town doth In-gage, that no other Company Shall be allowed hereafter,

Also whoever Kill any Whales, of the Company or Companys aforesaid, they are to Pay to the Town for every such Whale five Shillings—and for the In-corporation of the said James Loper—the Town doth grant him Ten acres of Land, in Some conven-ant place, that he may Chuse in wood Land Ex-cepted and also Liberty for the Commonage of three Cows and Twenty Sheep and one horse, with ne-cessary wood and water for his use, On Condition that he follow the Trade of Whalling on the Island Two Years, in all the Seasons thereof beginning the first of March next Insuing. Also he is to build upon his Land, and when he leaves Inhabiting upon the Island, then he is first to offer his Land to the Town at a Valuable price, and if the Town do not buy it, then he may sele it to whom he pleases—the Commonage is granted only for the Time he Stays Hear.

Transcribed from the first book of records, page 30. LATHAM GARDNER, Reg.

Coffin and Gardner are the names of very many persons on this thrifty little island. In the 19th vol. of the REGISTER, page 212, there is a list of *seventy two ships* belonging thereto, all engaged in the whale fishery, with the names of their commanders and owners, and besides these many brigs and schooners belong to the island. In the names given, that of *Coffin* occurs 14 times as commanders of vessels, and therefore of different persons; and we meet with it 8 or 9 times among those of the owners, and the *Gardners* and *Folgers* are very numerous.

The burthen of the above 72 ships exceeded 21,600 tons—averaging more than 300 tons each.

Foreign Articles.

THE LEGITIMATES.

An intelligent traveller from Europe, lately in-formed a military gentlemen of this city, that Prus-sia continues to keep up a *peace establishment* of *four hundred thousand* men; and that her neighbor the emperor of Austria, *reposes* under the protec-tion of *six hundred and fifty thousand* armed myri-midons. These facts demonstrate more distinctly the political state of Europe, and the attitude of the holy alliance, than can be ascertained through the columns of certain foreign journals, where every article is invariably written under the surveillance of a censor, who permits only such matter to be propagated as may suit the meridian of despotism.

Wash. City Gaz.

From London papers of the 14th July.

GREAT BRITAIN AND IRELAND.

A meeting of the privy council took place on the 5th of June, to consider the claims of the queen to a coronation—49 members were present, including all the great officers of the crown, with many others, members of parliament, &c The memo-rial of the queen, addressed to the king in council, asking and claiming a coronation was read, which

was supported by Mr. Brougham in a long speech, with pointed references to the history of such things. But, as might be expected, the council re-jected the claim. The queen then demanded that a place should be assigned for her to witness the ceremony—to this it was replied, that it was not his majesty's pleasure that she should attend.

Many strangers were arriving in London to see the coronation.

The great assemblage of troops in and about London on account of the approaching corona-tion, shews the determination of the ministers to argue the right of their plans by the force of the bayonet—if necessary.

Sir William Scott has had his name changed to baron Stowell, and the lord chancellor Eldon is now the earl of Eldon and viscount Encomb.

Parliament was prorogued on the 11th July—the speech on the occasion notices, with peculiar pleasure, the restoration of a specie currency, and laments the distress that affects the agricultural interest.

The notes of the bank of England, in circulation, on the 5th of July, exceeded 23 millions.

Nearly four tons of gold, in sovereigns and half sovereigns, were sent by the bank of England to Manchester, to be exchanged for its paper, which was effected to the amount of 419,600*l*.

It is said that a British force of 12,000 men has ar-rived at Malta, probably destined for the Ionian is-lands.

A desperate battle took place between the Orangemen and Catholics at Bandon, in Ireland, in which many lives were lost.

By a statement published in the Times, it ap-pears, that during the year 1820, the city of London and suburbs, received a supply of water, to the enormous quantity of 9,739,004,394 gallons, that is 25,682,206 every 24 hours.

Stocks, July 7—3 per cent. consols 76½. The revenue for the quarter ending July 5, had fallen short in the sum of 407,000*l*, compared with the corresponding quarter of 1820.

FRANCE.

The French chamber of deputies became a scene of tumult, in consequence of some personal invectives in a debate to discontinue the censorship. M. Duplessis Grenedeau, commenced by analysing the policy of Bonaparte. But, said the hon. member, "the usurper is dead, now, if you like, cry out long live the emperor." On this the members of both sides quitted their seats, the ministers withdrew, and the deputy descended from the tribune, leav-ing the remainder of his speech unuttered.

The French journals, being under the censor-ship, have as yet merely repeated some of the ex-tracts from the London papers relative to the death of Napoleon.

A frigate was building at Marseilles for account of the regency of Tunis, under the direction of the Tunisian admiral, Ra s Harrana Morali, who had contracted for the building of several other vessels of war, for which he had the permission of the French government.

Several French vessels of war had sailed from Toulon for the Levant.

SPAIN.

Gen. Quiroga proposed to resign, for the use of the state, the pension which had been granted to him, but the cortes would not allow of it. The condition of things is becoming more settled, though some uneasinesses are spoken of. Merino has not been taken, but his followers were desert-ing him. Elío had appealed from the sentence

against him, and his case was yet undecided upon. The sales of the national domains had already produced 800 millions of reals, (40 millions of dollars) to be applied to a reduction of the national debt.

Gen. Eguia has fled to France. There is to be a convocation of the extraordinary cortes. Numerous arrests have taken place at Seville. The king does not appear to be so popular as he was.

PORTUGAL.

A fleet of transports, with 1400 troops on board, under convoy of a sloop of war, have sailed from Lisbon for Bahia, (Brazils).

TWO SICILIES.

It appears that the Austrian troops have not met with any opposition in the occupation of Sicily. A late London paper observes—An *Auto-de-fe* was celebrated some short time since at Naples, the victims of which were the works of Voltaire, of Rousseau, of Buffon, of D' Alembert, and some other authors, whose volumes were committed to the flames with all the pomp of ecclesiastical justice. "A battalion of Austrians," says the narrative, "assisted at this execution." It is impossible not to associate so futile a ceremony, with the destructive labors of the house-keeper and niece of the knight of La Mancha, assisted and controlled by the critical discernment of the curate, and of master Nicholas the barber.

SWEDEN AND NORWAY.

From the *London Courier* of the 7th July.

The following is the substance of a message from king of Sweden to the diet of Norway, respecting the freedom of the press:—

"General liberty demands, circumstances require, social order prescribes, and sound policy commands, that the freedom of the press should be limited. The liberty of the press does not cease to exist when it is restrained by wise laws. The most enlightened governments, the most powerful states, furnish proof of it.

"England, who was the first to benefit by the freedom of the press, who in her legislation has confirmed the right of every man to publish his thoughts, and even of condemning the acts of the government; this country, so powerful from the character of its people, has recognized the necessity, if not of restricting the press, at least of punishing abuses of it. It has passed laws, established a jury, and makes known to every person his rights and duties. This nation, which has experienced such long revolutions and numerous calamities—this nation, whose constitution may, with propriety, be called the elder sister of all existing constitutions, and who is so jealous of civil liberty, has been frequently forced, during the last thirty years, to restrict personal liberty by a temporary suspension of the *habeas corpus*. By yielding to the necessities of the moment, and the critical circumstances of the times; by admitting the importance and urgency of prompt and useful decisions, the English people knew how to appreciate the acts of its parliament; and the sovereign, who recommended these measures, received the blessings of a great nation, who are fully aware of the propriety of a salutary exertion of power in crises, which menace the existence of a state.

"From the moment that the constitution, of the 4th of November, 1814, gave political rights to Norway, and raised her to the rank of nations, she has enjoyed an unlimited liberty of the press. It was easy so foresee that this right would be abused by transgressing the bounds of moderation. The transition, from an absolute to a constitutional government, was too sudden to create any surprise,

that these excesses should have been committed. Individuals, who pronounced themselves the organs of the nation, abused the liberty of writing."

His majesty then proceeds to state, in general terms, the various abuses of the press, that have lately occurred in Norway, and thus concludes:

"A licentious press has been generally regarded as dangerous. Foreign war, civil war, the ruin of public credit, the depreciation of the government paper, division in families, and the decline of manufactures, commerce, arts and sciences; such are the dreadful consequences it brings on nations.

"His majesty, in consequence, recommends the establishment of a jury to try offences of the press.

CHARLES JEAN.

"Given at our castle Stockholm, the 2d June, 1821."

RUSSIA.

There is a report that the whole Russian fleet in the Baltic was fitting out, with all possible expedition, for the Mediterranean. It is also stated that the fleet on the Black sea was preparing to sail towards Constantinople. Various accounts lead us to believe that the Russian troops lately collected on the frontiers of Turkey, had passed, or were about to pass, into Moldavia and Wallachia. The minister of this power at Constantinople, has preferred a string of complaints against the Turkish government, and he has also thought himself much abused on account of the execution of a person named Danesi, for whose safety he stood pledged. On the whole, it seems pretty clear that Russia is about to take some part in the fray—but with what intent and to what extent is not yet indicated.

TURKEY.

There is a report of a battle near Dragascan, in which the Greeks were severely defeated by the Turks. A London paper of the 9th July, says—"The notorious rebel chief Theodore, who, as we have said already, was, by Ypsilanti's orders, confined at Petesch, and carried prisoner to Tergowitz, was, in fact, tried, condemned and executed on the 7th of last month.

It appears that an additional number of venerable and dignified prelates of the Greek church have been put to death by the Turks; and a Flemish article says—"The extirpation of christianity in Greece, is the plan of the Turks; who seem resolved to ruin themselves, notwithstanding the moderation of the christian princes."

It has been resolved that the Janissaries shall be represented in the divan, by three members chosen from their own body. This is considered as an important regulation in favor of the stability of the Turkish empire.

The states of Barbary have been summoned to join their ships to the fleet of the Porte. These states only pay a nominal respect to the sovereign of Turkey; but, whether they are willing to yield to his request or not, it is probable that they cannot effect any thing, because the British ambassador has declared that his court will not permit the ships of Barbary to come into the Ionian sea, &c. A Trieste article, of June 12, says—"It is affirmed that the Americans, who are at war with the Barbary states, having heard that the Sultan has given orders to those powers, to send their corsairs to the Archipelago, and, fearing that this measure might prove injurious to the American trade, have declared the ports of Algiers and Tripoli in a state of blockade, and have detached a part of their squadron to enforce this determination."

The Janissaries have received arrears of pay to the amount of six and an half millions of piasters.

Accounts are received from Constantinople to the 10th of June. Assassinations of the Greeks were yet frequent. The Greeks have the command of the Black sea by a very strong fleet, and that in the Archipelago was approaching the Dardanelles. The naval force of the Turks is nearly broken up, the sailors having been chiefly Greeks.

A Turkish corps of 10,000 men, advancing on Bucharest, was attacked in the rear by the Greeks and completely defeated—3,000 of the them being killed and a pacha made prisoner. Letters received in Vienna, also state, that some bloody battles had taken place near Tergowitz—that the Turks had attacked the intrenched position of Ypsilanti, and were repulsed with considerable slaughter. After these things, Yassay fell again into the power of the Greeks, who have established a provisional government there.

There was a rising of the Greeks in Etolia, and the Turks were murdered to avenge the death of the patriarch, the mosques burnt, &c. The flag of the cross flies through this district. Macedonia and Illyria are considered as free, as are nearly all the islands. Ali, pacha of Janina, holds out successfully, and gains almost daily advantages over his enemies.

According to the late accounts, Ypsilanti's army amounts to 25,000 men, well equipped and disciplined after the European manner.

COLOMBIA.

* By an arrival at Boston, we learn that on the night of the 25th of June, the flotilla of the patriots went into the harbor of Carthagena, attacked the flotilla of the royalists, and, after a severe action, in which the patriots had seventeen men killed and wounded, and the royalists two hundred killed, succeeded in capturing four launches, sinking the gun brig Andalusia, and destroying the remainder.

As the battle of Carabobo probably decided the fate of Colombia, we are induced to record the official account of it. Porto Cabello was yet held by the royalists. Caracas, &c. were tranquil, and every thing bespeaks a speedy termination of the scenes of carnage which have so long desolated these fine countries.

Official account of the battle of Carabobo.

MOST EXCELLENT SIR: The political birth of the republic of Colombia, was confirmed yesterday by a most splendid victory.

The divisions of the liberating army having been concentrated since the 23d, in the fields of Tiniquillo, we marched yesterday morning towards the head quarters of the enemy, situated at Carabobo. The first division, composed of the valiant British battalion of Apure, with 1,500 cavalry, headed by general Paez, the second, of the second brigade of the guards, the battalions of Tiradores, Boyaca and Vargas, and the squadron Sagrada, (sacred) under the command of the brave colonel Aramendi, headed by general Sedeno, and the third, of the first brigade of the guard, with the battalions of rifles, grenadiers, conquerors of Boyaca, Anzoategui, and the regiment of horses of col. Rondon, headed by colonel Plaza.

Our march through the mountains and defiles which had separated us from the enemy's camp, was rapid and in due order. At 11 o'clock in the morning, we defiled on our left, in front of the enemy, within the reach of their fire. We crossed a rivulet which admitted the passage of but one man at a time, and this, too, in the presence of an army well situated on an inaccessible height and plain, who

threatened and harrassed us with their fire on all sides.

The brave general Paez, at the head of the two battalions of his division, and of the regiment of cavalry under command of the intrepid col. Munoz, went forward with so much courage against the right wing of the enemy, that, in half an hour, it was totally routed and cut to pieces; nothing will be able to reflect sufficient honor on the valor of these troops; the British battalion, commanded by the worthy colonel Farriar, has distinguished itself among so many valiant ones, and experienced a severe loss in officers.

The conduct of general Paez, in this last and most glorious victory of Colombia, entitles him to the highest military rank. I, therefore, in the name of the congress, have, at the very scene of the action, appointed him general in chief of the army.

Of the second division but a small number of light troops of the guard, under command of the intrepid comt. Heras, shared the honor of the combat; but its general, impatient at the impossibility of joining in the action with the whole of his troops, owing to the local barriers, engaged a party of infantry, alone, and died in the midst of the enemy, in the most heroic manner, that ought to terminate the noble career of the bravest of all the brave warriors of Colombia. The republic has lost in gen. Sedeno a great support, both in peace and war. There never was a more valiant man than he; never a man more obedient to the government. I, therefore recommend the relics of this general to the supreme congress, in order that the honors of a solemn triumph may be fully bestowed on them.

The republic weeps alike for the death of the valiant col. Plaza, who, elated with unexampled enthusiasm, charged a battalion of the enemy, to force it to surrender.

Col. Plaza deserves the tears of Colombia, and the honors due to his eminent heroism on the part of the congress.

After the dispersion of the enemy, such was the ardor of our chief and officers in pursuing, that we suffered a considerable loss among this higher class of the army, whose names are specified in the bulletin.

The Spanish army consisted of upwards of 6000 men, selected from the very best part of the pacifying expedition. This army is no more; scarcely 400 men have this day entered Puerto Cabello.

The liberating army was equally strong with the enemy; but no more than one fifth of it decided the fate of the engagement. Our loss is small but painful. Scarcely 400 slain and wounded.

Col. Rangel, who has ever performed wonders, has this day marched to commence the siege of Puerto Cabello.

The sovereign congress will be pleased to accept, in the name of the intrepid men whom I have the honor to command, the homage of a subdued army, the most powerful and great that ever entered a field of battle in Colombia.

I am, with the highest consideration, Y. E. devoted humble servant.

Liberating head quarters, Valencia, 25th June, 1821. BOLIVAR.

To his excellency the president of the general congress of Colombia.

PROCLAMATION.

Caraguénians! A decisive victory has closed the war in Venezuela; but one fortified place now remains to be subdued. But peace, far more glorious still than victory, is going to place us in possession.

of all the places and of the hearts of our enemies. To obtain *liberty*, honor and repose, we have done every thing; hence every thing will be ours in the course of this year.

Caraquenians! The general congress, with its wisdom, has given you laws calculated to insure your happiness. The liberating army, with its military virtue, has restored you to your homes; hence you are already free.

Caraquenians! The union of Venezuela, Cundinamarca and Quito, have enhanced the splendor of your political existence, and laid forever the foundation of its stability. Caraccas is not to be the capital of a republic, but the capital of a vast department, governed in a manner most worthy of its importance. The vice president of Venezuela enjoys the attributes due to a great magistrate, and in the centre of the republic, you will ever find a source of justice, pouring forth its blessings through all the channels of the country.

Caraquenians! Bestow your gratitude on the ministers of the law, who, from the sanctuary of justice, have transmitted to you a code of *equity* and *liberty*.

Caraquenians! Lavish your admiration on the heroes who have given birth to Colombia.

Liberating head quarters, Caraccas, June 30, 1821—11th. BOLIVAR.

CHRONICLE.

The anniversary of the battle of Bennington, (16th August, 1777), was celebrated with orations and civic feasts, by the people of that town and those of its vicinity. The ceremonies in the churches were very numerously attended.

Died, at Transylvania, Ky. Mrs. Smith, aged one hundred and seven years.

The crops. The Huntsville Republican states, that the Big Bend of Tennessee river presents at this season the most cheering prospect of crops of every kind. The productions of cotton will not probably fall short of 30,000 bales, and we understand a much larger proportion of it than usual will be packed in *Scotch* bagging instead of Kentucky, which is getting into disrepute among our neatest planters.

High treason. The Kingston (Upper Canada) Herald, of the 10th July, contains the names of three hundred and eighty-one persons who have been attainted of high treason, committed in Upper Canada, or who have been returned as having absconded from the province during the late war with the United States of America. And all those who can, are requested to give information of any person not included in the list liable to be declared aliens by the statute, 54th Geo. III. as having left the province during the war, without license; or of any lands owned by them, or any of the individuals named on the 1st of July, 1812, or afterwards, not heretofore forfeited.

Fine sport. On Tuesday the 14th ult. a party of young men of Sunbury, Penn. set out upon a fishing excursion, and returned in the evening, after having caught upwards of 1500 fine fish, about 500 of which were salmon, weighing from 3 to 12 lbs. each; the remainder consisted of rock, perch and suckers.

Great fires. The woods of Maine and New Brunswick, for many miles along the coast, are on fire. A number of buildings, &c. have been destroyed on the British side, and a letter from Eastport, dated Aug.

14, says—"The weather is extremely hot and dry. The woods in the country are almost all on fire; many cattle and some houses and barns have been burnt within a day or two in this vicinity, and the situation of the people in many places is truly alarming. This town has as yet escaped, but the smoke is so thick as to render it very unpleasant, and very sensibly affects the eyes and lungs."

Farmers Bank of Virginia. On further investigation, it comes out that there is an apparent deficiency in the books kept by A. Lithgow, of 57,700 dollars, besides the 17,000 dollars which was confessed as missed in the cash account. The evidence about his having used certain checks twice, seems to have been conclusive. Yet he was admitted to bail in the sum of 4,500 dollars.

The following section of a late law of Virginia is supposed to bear upon his case:—

Sec. 2. *Be it further enacted*, That if any officer of public trust in this commonwealth, or any officer, or director of any bank, chartered by this commonwealth, shall embezzle or fraudulently convert to his use, or shall knowingly suffer any other person or persons to embezzle or fraudulently convert to his or their use, any sum of money, bank note, bill, check, bond, or other security or facility placed under his care or management, by virtue of his office or place aforesaid, the person so offending, his aiders, abettors, and counsellors, upon conviction thereof, shall be adjudged guilty of felony, and be sentenced to imprisonment in the public jail and penitentiary house for a term not less than 3 years, nor more than 10 years.

CHARLES THOMPSON. "The very night the parliament passed the stamp act, in February, 1765, Dr. Franklin, who was then in London, wrote to Charles Thompson, afterwards secretary to congress—"The sun of liberty is set; the Americans must light the lamps of industry and economy." To which Mr. Thompson answered—"Be assured, we shall light torches of quite another sort."

[Charles Botta's history of the American war.

This venerable man and celebrated patriot is still living in Pennsylvania, aged between ninety and an hundred years. It is a remarkable circumstance that the same commander in chief and the same secretary of congress, remained from the beginning of the revolutionary war to its conclusion. They are now all gone down to the grave, excepting John Adams, Charles Carroll, Thomas Jefferson, and Charles Thompson. Mr. Jefferson is the youngest of the four. In the revolutions of other countries, how many are the changes of all its leaders and officers. In America how few! An evidence of fixed principles and stable characters.—*Bost. Pat.*

TENNESSEE. The return of votes for governor, so far as received, show an aggregate for general Carroll of 39,711; and for Mr. Ward of 10,852. It is supposed that the former has been elected by a majority of from 25 to 30,000 votes.

New-Orleans. From the 1st of October, 1820, to the 7th of July, 1821, no less than 126,729 bales of cotton and 23,344 hhd. of tobacco were shipped from this port. Of the cotton, 45,956 went to Great Britain, 37,509 to France, (direct), and 30,689 were sent coastwise: of the tobacco 1,018 hhd. went to the Netherlands, 1,544 to Spain, 2,704 to the Hanse towns, 3,145 to Gibraltar, and 11,821 exported coastwise.

During the same time 328 vessels departed for foreign ports and 383 coastwise—together 691, of the burthen of 134,443 tons.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

As an apology for his non-attention to a good deal of private correspondence this week, as well for any apparent deficiency in his usual application in making up the contents of this sheet, the editor respectfully represents the fact, that he has been considerably indisposed—able, it is true, to attend daily at his office, but incapacitated for his ordinary labor at the desk.

Andre. The recollections of a venerable soldier of the revolution, of certain things which may tend to set the character of major Andre in a light different from that in which it has been commonly blazoned. All be examined through the indices furnished. The extravagant proceedings of his countrymen and others, justify an exposition of his conduct and character as it was.

HEALTH OF BALTIMORE. *Interments for the week, ending yesterday morning, September 7, at sun-rise.*

	malignant.	other.	total.	under 5.	col'd.
Sept. 1,	3	11	14	3	0
2,	4	9	13	4	2
3,	3	8	11	2	2
4,	0	12	12	5	0
5,	2	8	10	4	2
6,	4	6	10	3	0
7,	1	5	6	3	0

Whole number of interments 76

Fewer persons died last week of malignant fever than in the week preceding. Of those deceased, two or three occurred in the city, proper—the rest were on the Point; from one part of which the people have chiefly removed. There is no present indication that the disorder will spread, nor hope that it will be immediately eradicated.

OUR COUNTRY. When we carefully examine a map of the United States, and behold our lakes, bays, rivers and creeks, and ascertain the facilities which they offer to a most interesting intercourse between the extreme parts of the republic—and when we count up the amount to which our internal navigation may be extended, by the removal of some partial obstructions in our streams of water, and by cutting a few canals—we are lost in astonishment at the advantages presented, and ought to be filled with gratitude for favors conferred. Through the agency of “unconquered steam,” time and space seem almost subjected, and a journey of 500 or 1000 miles is little more than a pleasurable excursion!—and the time is at hand, when a person may travel from the city of New York to New Orleans, by an interior route, with perfect ease and comfort, in a few days, though the distance, if counted by miles, is more than equal to a voyage across the Atlantic ocean! After some reflection on the subject, and making use of the estimates offered in the VIth vol. of the REGISTER, page 417, I believe it may be said that the length of the rivers and taking in one shore of the lakes of the United States (without ever crossing the Mississippi to bring into the account the majestic Missouri and its tributaries, &c.) afford an internal navigation of about seventeen thousand miles, for boats or vessels of considerable burthen—the greater part

for them of the largest size; and even yet, the superior benefit, if possible, is, that the streams or bodies of water, passing in opposite directions to the very extremes of the country, may be readily united for a less sum, perhaps, than we expended in either year of the late war. The Missouri and the rivers that empty into it, with the Arkansas, Red River, and others coming from the west or proceeding to the south, beyond the Mississippi, exclusive of the waters of the Columbia, probably have a navigation of not less than *ten thousand* miles as above mentioned; but the facts relative to them are not yet ascertained: nor are the advantages that may be derived from the late acquisition of Florida, as tending to open a very short and safe communication (in peace or war) between the outlets of the west and south and the ports on the Atlantic; but it is the opinion of many, that the dangerous and tedious voyage round this peninsula, will soon be chiefly superseded by the junction of certain waters by a canal, through which vessels of sufficient burthen to navigate the ocean may freely pass.

The benefits to be derived from this condition of things are not to be calculated. The people of the western parts of the state of New York are to become neighbors to those of Baltimore, by means of the Susquehannah; Pittsburg, having a market either way, will be drawn to the sea-board, and the inhabitant of Missouri will take his commodities to the south or east according to the state of the market for them. From the most distant places, from one thousand to fifteen hundred miles apart, even coarse commodities will be transported to a profit, and the manufactures and products of one part will become as familiar to the other, as if raised within fifty miles of the places at which they are used or consumed. Foreign commerce shall revive, the Atlantic states must needs possess it, and give vent to the surplus fruits of the labor of the extensive interior; the attention of the people of which must be turned to manufactures, as the labor devoted to agriculture exceeds the domestic and foreign demand. We already wear coats made in Ohio and may have linens from Missouri, cotton and woollen fabrics from the middle and eastern states with all the ponderous works of iron, hemp and hempen goods from Kentucky and Tennessee—the rich south furnishing raw materials, with sugar, rice, wine and oil. What a magnificent prospect—what motives to love the republic—what interests to cleave to union! The good of a part, except with exceptions of no account in the great scale of things, is the good of the whole; no part can prosper without a general advantage, and this advantage mainly rests on the full employment of all the people in the product or manufacture of such things as yield the highest profit—not so much on the profit that accrues to individuals concerned, but so far as their respective commodities operate upon the market abroad. It is no matter to the nation, if I have paid to my neighbor six cents for the quill that I have made a pen of and am now writing with, provided I can thereby induce him to purchase something (of my product) also of me at a like rate of price—we stand on equal grounds, and the value of both remains in our country—but

the reverse of this must necessarily happen in the use of foreign commodities, which either of us may rightfully dispense with. *Let us look at home.* If we do not take care of ourselves, we do not want a ghost to tell us, that Great Britain or France will not take care of us.

The following little article from a New York paper, elicited the preceding remarks—hastily written and with a view only to excite us to a love of the republic and do away sectional feelings, by drawing attention to the common interests of our country.

"The steam boat '*Walk-in-the-Water*,' returned to Black rock on the 15th inst. from Green Bay.—She was absent 17½ days—6½ of which she lay at anchor at the different stopping places on the lakes—making a pleasant and profitable trip of 1950 miles in eleven days.

Debts and Cash Payments.

FROM THE ALBANY REGISTER.

There is one prevailing custom among men which is little noticed, though worthy of the most serious consideration. It is the occasion of great and ruinous misfortunes to families, and a serious evil in civil society: I have reference to the custom of *trust* in the trade, commerce, and common affairs of life. Trust is another term for debt, or getting into debt; thus, the creditor *trusts* his debtor, hoping the latter will pay the debt to the former. But swindlers love to get into debt, provided they can in any way elude payment, by moving off, by insolvent laws, or by any other contrivance. Many get into debt, in hopes the mild disposition of creditors will prevent them from enforcing payment, and in a few years the debt is outlawed.

For an honest person to get into debt, is to get into a kind of bondage; and he pays fealty to his master, when he pays interest on his obligations. To remain in debt, is to keep a creditor out of his property, which is unjust, and often roguish, in those who can pay, but who will not discharge their debts.

Those who trust know not on what ground they stand; whether they are becoming opulent or indigent, because they cannot collect the moneys due them. This is frequently the dreadful condition of thousands, whose days of doubts and fears render them wretched. Every body trusts, every body is cheated, or disappointed of the payment. Thus the sufferings and trials of mankind are extensive. They are remarkably injurious to the kinder and more unsuspicious portion of the community, while rogues, swindlers, and speculators, profit by the system.

If every body were in the habit of giving cash or goods for what they purchase, it would make it very easy to continue cash payments, which would introduce innumerable benefits, and terminate many evils. It would introduce a greater attention to honesty in all our dealings: it would suppress much of the spirit of undue speculation; prevent much swindling; end most prosecutions for debt; render prisons for debtors unnecessary; save the fortunes of multitudes now spent in law litigations; promote the peace of society; reduce the number of lawyers, and the practice of hiring money at interest, or usury; enable every one to ascertain what he is worth, and put an end to the system of banking. If money was not let out on interest, rents would fall; every thing could be bought for cash, by the poor, at a more reasonable rate; and thus the industrious, in every class, would, with frugal ma-

nagement, gradually become comfortable in their circumstances.

I am fully convinced, that mankind could not confer a greater benefit on society, than by adopting a system of *no-trust* in trade. Every individual should commence this system, and every state should introduce it by proper enactments. It would greatly reduce the number of paupers, and prevent innumerable crimes that now send so many to our state prisons.

The ill effects of the credit system have been remarkably exemplified since the peace of 1815. Most of those who got into debt, are bankrupts now, or have been so. Had there been no credit, the change of things, at the coming of the peace, would have rendered very few insolvent, so that peace would have returned to Europe and America with blessings and a lovely aspect. By the credit system, men must always expect to suffer revelations in property. Every change in commerce, trade and manufactures, leads to this; but, by cash payments, changes, like these, will little affect the estates of our own citizens.

Napoleon Bonaparte.

The following particulars are interesting, and seem necessary to assist in affording an account of the exit of the man who, for so many years, had occupied the attention of all the civilized world:

OFFICIAL ACCOUNT OF HIS DECEASE.

St. Helena, May 6, 1821.

My lord—It falls to my duty to inform your lordship, that Napoleon Bonaparte expired about ten minutes before six o'clock in the evening of the 5th instant, after an illness which had confined him to his apartments since the 17th of March last.

He was attended during the early part of his indisposition, from the 17th to the 31st of March, by his own medical assistant, professor Antomarchi, alone. During the latter period, from the 1st of April to the 5th of May, he received the daily visits of Dr. Arnott, of his majesty's 20th regiment, generally in conjunction with professor Antomarchi.

Dr. Shortt, physician to the forces, and Dr. Mitchell, principal medical officer of the royal navy on the station, whose services, as well as those of many other medical persons on the island, had been offered, were called upon in consultation by professor Antomarchi, on the 3d of May; but they had not any opportunity afforded to them of seeing the patient.

Dr. Arnott was with him at the moment of his decease, and saw him expire. Captain Crokatt, orderly officer in attendance, and Drs. Shortt, and Mitchell, saw the body immediately afterwards.

Dr. Arnott remained with the body during the night.

Early this morning, at about seven o'clock, I proceeded to the apartment where the body lay, accompanied by rear-admiral Lambert, naval commander in chief on this station—the marquis de Montchenu, commissioner of his majesty the king of France, charged with the same duty, also on the part of his majesty the emperor of Austria—brigadier general Goffin, 2d in command of the troops—Thomas H. Brooke and Thomas Greentree, esquires, members in council in the government of this island; and captains Brown, Henry and Mayryat, of the royal navy.

After viewing the person of Napoleon Bonaparte, which lay with the face uncovered, we retired.

An opportunity was afterwards afforded, with the concurrence of the persons who had composed the family of Napoleon Bonaparte, to as many officers as were desirous, naval and military, to the hon. the East India company's officers and civil servants, and to various other individuals resident here, to enter the room in which the body lay, and to view it.

At 2 o'clock this day, the body was opened in the presence of the following medical gentlemen—Dr. Shortt, M. D. Dr. Mitchell, M. D. Dr. Arnott, M. D. Dr. Burton, M. D. of his majesty's 66th regt. and Matthew Livingstone, esq. surgeon in the East India company's service.

Professor Antomarchi assisted at the dissection. General Bertrand and count Moutholon were present.

After a careful examination of the several internal parts of the body, the whole of the medical gentlemen present concurred in a report on their appearance. The report is inclosed.

I shall cause the body to be interred with the honors due to a general officer of the highest rank.

I have entrusted this despatch to captain Crokat, of his majesty's 20th regiment, who was the orderly officer in attendance upon the person of Napoleon Bonaparte, at the time of his decease. He embarks on board his majesty's sloop Heron, which rear admiral Lambert has detached from the squadron under his command, with the intelligence. I have, &c. &c. &c. H. LOWE, lieut. general.

To the right hon. the earl Bathurst, K. G. &c. &c. &c.

OF THE CAUSE OF HIS DEATH.

Dr. O'Meara was originally appointed by the British government, as a surgeon to Napoleon. In his character as a gentleman and a physician, it was thought that he discovered too much tenderness for the injured man, who, against every rule of hospitality and of war, had been banished to a rock and made a captive for life—and the consequence was, that he was called home. On his return to England, he published a statement relative to the treatment of the prisoner, (the truth of which we have not seen denied), which evidenced not only useless severity, but also, at least, a carelessness whether he died of a mortification of his pride, privation of comfort, or exposure to the contraction of disease. The following brief extracts from his book may suffice to support these general assertions:—

"The purveyor had peremptory orders to supply Benguilla beef, which cost three pence per pound, to Longwood, Napoleon's residence, while the market price of Island beef was eighteen pence." Page 9.

"The mutton was frequently of a very bad quality, although good sheep were to be purchased." Page 17.

"The meat, originally bad in quality, from being carted up in the sun, was often on its arrival putrid and unfit for use." *Ib.*

"The bread was in general extremely bad; and the water invariably so during the summer months." Page 18.

"Countess Bertrand has been occasionally obliged to send to the officer of the Hut's Gate guard, to borrow a little bread for her children's breakfast, and wood to cook their victuals." *Ib.*

Napoleon's residence "is situated on the summit of a mountain, from 1800 to 2000 feet above

the level of the sea; and in so exposed, unpromising and bleak a spot, that, with the exception of Longwood house, and that of the company's farmer, the whole of it was uninhabited until the arrival of Napoleon, and presented little else than a barren, melancholy waste." Page 23.

"Napoleon's reasons for confining himself were in order to prevent the possibility of his being stopped, insulted, and detained by the sentinels, as had happened to all the members of his suite who ventured out, not even excepting the ladies." Page 26.

"Longwood is one of the most unpleasant situations on the Island." Page 30.

"The plant that thrives at Longwood is the spurge, a most offensive weed." Page 33.

"During my residence at Longwood, there was not a single individual of Napoleon's suite, with the exception of count Bertrand, who had not been seriously, and most of them dangerously ill, either with fever, dysentery, inflammation of the bowels or liver." Page 39.

"Fifty six men died in the 2d battalion of the 56th regt. during the first thirteen months after their arrival in the island, chiefly from dysentery and hepatitis." *Ib.*

"The Conqueror, which ship arrived in July, 1817, has lost, in 18 months, almost entirely by the same complaints, 110 men, out of a complement of 600, besides 107 invalid and sent to England, being more than a third of her complement." Page 49.

"The rats are so numerous at Longwood, and so fearless, that they often assemble, even in the day time, in flocks, to feed when the offal of the kitchen is thrown out. Napoleon's dining room was particularly infested with them; and it is a fact, that one of these noxious animals sprung out of his hat when he was going to put it on, one day after dinner." Page 61.

"Bonaparte is particularly temperate, and every thing is removed from the tables in less than half an hour from the time of his sitting down." Page 72.

"Lieut. col. Lyster gave orders to the officers of the guard, to examine minutely, every bundle, packet, or parcel, entering or going out of Longwood, not excepting even the wearing apparel of the ladies." Page 80.

"Sir Hudson Lowe removed in succession, the only medical men in whom Napoleon had confidence, at the moment he was laboring under a formidable disease, in a climate where it was weakly sending numbers to the grave, and moreover directly after Napoleon had experienced an attack of apoplexy." Page 181.

On the report of the death of Napoleon, Dr. O'Meara published a long letter to the editor of the London Morning Chronicle, ridiculing the statement made as to the causes of his death. We have the following extract from it in the National Advocate.

"It is very important first to observe, that this report is *not signed* by professor Antomarchi,* although the governor asserts that the whole of the medical gentlemen concurred in a report on their appearance; and nextly I assert, without dread of contradiction, that no man ever saw an instance of cancer of the stomach proceeding through all its stages, from its commencement to death in seven weeks and one day. Cancer of the stomach is a tedious, lingering disease, keeping the patient in

*Napoleon's own physician.

torture for months; but here we have the *stomach to nearly its whole extent, a mass of cancerous disease in seven weeks!* With respect to the assertion of hereditary cancer, promulgated through a fabricated letter, by those who had the Gazette report in their possession, it is too contemptible to be seriously refuted. No respectable ancient author ever mentioned, no modern practitioner ever met such a disease; it is a desperate experiment practised upon public credulity, too gross to impose upon the most uninformed, but naturally enough to be hazarded by those who are willing to impute the death of the victim, to any other cause rather than the true one. It is only surprising that they have not followed it up by a calculation of how many years may elapse before the stomach of young Napoleon is to enter upon its paternal inheritance. The story is too ridiculous for argument, and those who have fabricated it might just as well assert the existence of hereditary drunkenness, or hereditary murder, or any other moral depravity which may happen to be uppermost in their memories. I do not assert positively the proximate cause of the death of Napoleon; that can only be known with certainty to the Almighty disposer of all life and death, but I assert, unhesitatingly, that it was hastened by the treatment he experienced—by his transportation to a tropical climate—by the petty vexations inflicted in his imprisonment; by the numberless minute and studied mortifications, which none, but a mind like his, could have endured, and at length by that derangement of the digestive organs which mental anxiety invariably produces. Such is my opinion, not originating in the indignation of the moment, but formed and deliberated long ago, and delivered by me *in language not to be misunderstood*, at two different periods of Napoleon's detention. I told his majesty's ministers, emphatically, that if the same treatment was continued, his premature death might not be so immediate, but was quite as inevitable as if it had taken place under the hands of the executioner. To these documents I now direct the eyes of Europe, as the testimonies of my judgment, and to the event I point, for the accuracy with which it was formed."

¶ The "Aurora" publishes a statement of the case of M. D'Aurichy, who died at Philadelphia some years ago. When likely to fall into the hands of the blacks of Hayti, and to avoid the tortures which they inflicted on their captives, he took a quantity of *arsenic*; but it so happened that he was saved from them and made his escape, and arrived at the city just named. He lingered several years—sometimes subject to severe pains, and at others free from them. When about to die he requested that his body might be opened. The article proceeds and says—

"His physicians, one of whom, an eminent practitioner in this city, who relates this fact, and is now alive, did open the body, as desired, and found the lungs, the liver, the heart, and every other organ and viscus, in a perfectly sound state; but when they came to lay the *stomach open*, that *viscus was found to be the seat of extensive disease, adhesions connected with the superior surface, particularly about the pyloric extremity. The internal surface of the stomach was schirrus, and advancing to cancer.*

"I was struck, as I dare say you will be, at the coincidence of the appearance of this subject, with that given so formally concerning the great Napoleon, as published in all the prints; and when I considered that M. D'Aurichy had died by *mineral poi-*

son, administered by himself, and that the fact of his having been so poisoned could not be doubted, because all the facts agreed; I believe the facts bear a resemblance too exact, in the *result*, however different in the origin, to render any inference at all necessary.

"Now, Mr. Duane, I will ask any physician, the most accurate and experienced morbid anatomist, what are the appearances always exhibited on dissection, by the human stomach that has received *arsenic*, or any other corrosive substances?—and, if all physicians answer the question readily, by saying that the appearances in such a case will be precisely those which were exhibited on the appearances of *Napoleon's stomach being laid open*; and, if that opinion be corroborated by the experience of all practitioners, must not the conclusion be inevitable, that Napoleon was poisoned?"

"And then I will ask these gentlemen, rich in learning and experience, whether cases frequently or ever occur, of a *schirrus* being exhibited in a stomach, especially in robust, sober, and vigorous subjects, unless caused by the introduction of corrosive substances; and if their answer be in the negative, I must believe that Napoleon was premeditatedly poisoned."

We have no opinion on the subject. But when there was so great an object in getting rid of Napoleon, we think it just as probable that he was poisoned as that he suffered a natural death.

A Paris paper says.—"When gen. Rapp was informed of the event, he shed tears. The circumstance was communicated to the king, who, when he next saw the general, which was on his way to mass, he deigned to tell him, that, far from blaming his sensibility, he regarded it as a new pledge of his fidelity. "It is true, sire," announced general Rapp, "that I felt deep emotion on learning the death of a man to whom I owe every thing, even the happiness of serving your majesty."

If the story is true, the circumstances of it were highly honorable to the parties.

Law Intelligence.

FROM THE CHARLESTON COURIER.

The case decided below excited a good deal of interest, and the decree of the court gave much satisfaction, as it evinced a just sensibility and regard for the maintenance of discipline on board of merchant ships, and for the rights and authority of captains of vessels. Such decisions as these are calculated to awe the bold, and to enlighten the ignorant, who think that right on the ocean is to be resolved into force. Mutiny is the germ of piracy, and insubordination is the rudiment of crime.

OTTO MEYER, Commander of the Bremen ship Graf Zinzendorf,	} Decree, March 26, 1821.
vs. JOHANNES TIDEMAN.	

This is a libel for damages, brought in the district court of the United States of America for the district of South Carolina; and which court, by the laws of the United States, possesses exclusive jurisdiction and original cognizance, within the same, of all civil causes of admiralty and maritime jurisdiction.

The suit is in the name of Otto Meyer, master and commander of the Bremen ship Graf Zinzendorf, against Johannes Tideman, for dispossessing him at sea, from the command of his ship; for imprisoning him on board during the rest of the

voyage; for assaulting and striking him; for degrading him before his crew, both at sea and after the arrival of the ship in the harbor of Charleston, in South Carolina; for expelling him from the said ship at the wharf; and for retaining from him his clothes, papers and other property. The Graf Zinzendorf, and a good part of the cargo, are the sole property of Daniel Tideman, an alderman or burgo-master of the city of Bremen; and Johannes Tideman is the son of the said Daniel Tideman, and consignee of the said vessel and the greater part of her cargo, at the said port of Charleston.

The respondent, Johannes Tideman, by his answer, filed in this court, "admits, that, on the 23d day of Feb. last, in consequence of the great incapacity evidenced by the said captain Meyer, while off the bar of Georgetown, as this respondent was informed and believed, and also while in search of the bar of Charleston, this respondent, in order to save the lives of the crew, and to secure the ship and cargo from loss, did take away the command of the ship Graf Zinzendorf from the said Otto Meyer. This respondent is, and was at the time, the consignee of the ship and cargo, except some small articles consigned to a few individuals in Charleston.

"This respondent may have used, and did use, force to oblige the captain to yield the command of the ship, and to keep him out of such command; but, as for more than was necessary, and also to keep the crew safe, this respondent denies the same; and, therefore, prays the court to put the said Otto Meyer to strict proof of his allegations of such injuries. This respondent again declares, that he acted in the premises as the consignee of the ship and cargo, and as the protector of the crew, for the benefit of the owner, and for the safety of the crew, and not with any wilful intent to injure the captain, or to do any thing more than the good of the owner of the vessel and cargo, and the safety of the crew, required. He, therefore, prays to be hence dismissed, with his reasonable costs and charges, in this case wrongfully sustained."

The charges urged against captain Meyer by the mate and crew, in a written instrument drawn up by Johannes Tideman, and which they signed, are, in brief, the following:

1. When the ship sailed out of the river Garonna, and even abreast of the steeple of Cordovan, he unbent the cables from the three anchors.

2. He frequently carried sail when it was unnecessary, thereby splitting and wearing out the sails.

3. That, on Tuesday, 20th February, 1821, after a voyage from Bordeaux of three months, being in 18 fathoms water; and having taken a good observation, captain Meyer ordered the vessel to be steered NNE. and on the 21st made land, when part of an old cable was bent, and got into four fathoms. The ship was then tacked, and, steering northwardly, made a light house, which was neared until 24 fathoms were sounded; then stood off, and the captain and mate had an observation at meridian; again stood in for land, anchoring in four fathoms, having been within a German mile from the light house, which the captain believed to be the Charleston light house: that, a pilot coming alongside, said the light house was not of Charleston—but, as he would not tell where the vessel was, unless the captain would give him five dollars, and the captain making no reply to a demand of the kind, the pilot went away from the vessel. At this time it was about four o'clock in the afternoon, and calm. At 8 P.M. a small breeze sprung up, on which the anchor was heaved up, and sail

was made, with the wind at NE. An attempt was then made to tack, but the ship missing stays, the anchor was again let go, with part of an old cable, in something less than four fathoms, and the wind blowing direct on a reef, about half a German mile distant; and it was only at the request of the mate that a second anchor was let go, which had a worse cable—good cables, of sufficient length, being below. That at 3 o'clock in the morning it commenced blowing very hard, with heavy thunder and lightning, and a great fall of rain. The ship began to drift, and was only brought up when the second anchor was let go. Soon after the wind moderated. Towards evening of the 22d February, a small breeze sprung up from the SW. on which the anchors were drawn up, and the ship was beaten into three fathoms during that day and the following night. On the 23d February, they believed themselves near Charleston, and ran into four fathoms, when it became foggy, and the ship again stood off. On the weather clearing away the ship stood in, but found by the observation taken, she was still to the northward of Charleston, and again stood off the shore. From whence the mate and crew, by the instrument of writing which they signed, say, they are unanimously of opinion, that captain Meyer did not, during a time of such danger, act as a man who understood his business, but with the greatest negligence and imprudence, and more like one who had not common human understanding: and that, as Mr. Tideman, the son of Alderman Tideman, in Bremen, the owner of the vessel, assured the mate and crew, that captain Meyer had acknowledged to him having made such a mistake in his reckoning as was in every respect inexcusable—and finding their remonstrances were treated with disdain, and rejected with anger, and consequently their lives, and the safety of the ship and cargo, in such unfit hands, they resolved, in conjunction with Mr. Tideman, to divest captain Meyer of the command—upon whose refusal to surrender the ship by fair means, it was done by force. By the said instrument of writing, they acknowledged they tied the captain's arms and legs with a rope, and kept a strict watch over him, and that they transferred the command of the ship to Mr. Johannes Tideman. This writing was executed on board the ship Graf Zinzendorf, at sea, on the 23d February, 1821, by the mate, the boatswain, the carpenter, the cook, and six seamen, being the whole of the crew on board.

The mate and crew being present at the trial, the cause was proceeded in, and the mate and some of the sailors were examined. The ship's papers were also translated, and before the court—and two experienced captains of vessels were present, who were questioned on the points of navigation which arose, and as to the captain's conduct in the measures he pursued.

The counsel, as well for the respondent, Johannes Tideman, as for captain Meyer, were heard in the arguments which they advanced; after which the court proceeded to consider the case, and took time for advisement.

From the pleadings and evidence in this case, it has been shewn to the court, that the respondent, Johannes Tideman, is about twenty-one years of age; that he came from Bordeaux in the ship, as a passenger and consignee: that, by an instrument of agreement between the libellant, Otto Meyer, and Daniel Tideman, father of the said Johannes, duly executed at Bremen on the 17th September, 1820, the said Otto Meyer, was duly invested with the command of the said ship Graf Zinzendorf; and

was therein instructed and bound as to the duties and services he was to perform. And, by the 5th article of the said agreement, it was specially understood, by the contracting parties, "that, if either of them feels desirous to annul this agreement, it can only be done on the vessel's return home, and after the cargo be discharged: and cannot be done under a penalty of one hundred rix dollars, after the vessel has commenced loading, or a cargo being engaged for her. Neither can it be annulled, except here, or in a neighboring German or Dutch port—unless the captain had acted contrary to his instructions, or the tenor of this contract—or can be charged with intemperance or other gross errors and vices. In which case, the owner of the ship or his heirs, has the power to dispossess him of his command when abroad; by paying the captain his due, agreeably to the tenor of this contract; and to procure for him a free passage to his native place."

By the 9th article of the muster roll of the ship, executed at Bremen on the 4th September, 1820, it also appears, that the mate and crew "promise to defend the ship as much as in our power, against pirates, and follow the directions and orders of the captain or commanding officer to effect that point; and, in case of imminent danger of being cast away, to obey, without hesitation, all such orders as may tend to, or all the necessary assistance we are able to afford for, the preservation of the ship—and in default thereof, forfeit whatever balance of wages may be due us; and subject ourselves to have our names struck off the roll of seamen, belonging to this port; under the express condition, however, that in case of damage or otherwise, it must apply to the rules and regulations of the 14th article, established in the Hanseatic maritime laws."

It has also been shewn, that Johannes Tideman, the respondent, has never crossed the Atlantic ocean before; or been accustomed to sea voyages, by which he could have had any experience in maritime affairs; or be enabled to form accurate opinions, respecting the navigation of a vessel at sea; or of a conduct which a captain should pursue, in sudden and difficult cases.

From all which matters it results, that this is a cause of uncommon and interesting nature; intimately connected with the rights of the owners of the vessel and cargo; essentially connected with the rights and reputation of captain Meyer; and deeply associated with the interests of commerce and the rights of foreign nations. Under features so imposing, I would not assume jurisdiction in this case, were it not one of extreme necessity; and, where a respect for my own government, as well as the rights of foreign nations, appear to require it. For, that a mutiny has taken place, there cannot be any doubt; and there is no consul or other accredited agent from the city of Bremen here, to whom the matter might be referred. I feel, however, some consolation—the jurisdiction of this court has not been objected to by either of the parties; but, on the contrary, that it has been willingly submitted to.

The respondent in this case appears to have had his fears and feelings highly excited, on getting into soundings, and nearing the coast of this state; and it would have been fortunate if his alone had been excited. I feel much for the situation in which it is apparent he was; and lament the consequences which followed—which led him to instil his fears and feelings into the hearts and minds of the mate and crew; to persuade them to disobey and mutiny against the lawful orders and commands

of their commander—to lay hands upon him and cast him into confinement—to jeopardize thereby the lives of every person on board—and to hazard the vessel and cargo. If he had been the sole owner of the ship and all the cargo on board, a conduct like his would have been highly indiscreet and imprudent, to say the least of it; and the more so, as it appears that the mate cannot calculate longitude, and only can take observations of latitude. By how much the more so then is his conduct reprehensible, when it appears, by his father's agreement with the captain, he had no right to displace him: but only his father, and that for causes which, in my opinion, the evidence has by no means sustained. Mr. Tideman's fears and excitements might have been such as to have made him believe he was doing for the best; and in his ardent conversations with the captain, he might have so pressed him, as to have led to behaviour irritating to his feelings, and thereby to have roused him to farther opposition against the captain. But he ought to have considered, although he were consignee, he was but a passenger; and had no command over the ship at sea; that being reposed in the captain alone, by his father. And, in seducing the crew to revolt against captain Meyer's authority he was instructing them to break down all maritime subordination, and to take lessons in mutiny and piracy.

These appear to me to be the grand features of this case; and captains Pratt and Belcher, experienced captains, who have been examined, as to the points in issue, as to navigation, concur in opinion, that, so far as they have understood the case, and the proceedings of captain Meyer, in navigating his vessel, on the American coast, until he was superseded by Mr. Tideman and the crew, they are of opinion capt. Meyer acted in a seaman-like manner. I see no reason to be of a different opinion; and feel satisfied in saying so, from the information I received, when examinations of the master's journal and mate's log-book—the winds prevailing, and the courses steered—the chart of the coast, and other informations were spread before me, in the presence of the said captains, and other foreign captains who were in court on the occasion.

As to the personal injuries, charged in the libel to have been inflicted upon captain Meyer, as well by Johannes Tideman, as by his order, they have either been admitted by the respondent, or have generally been proven to my satisfaction. By all which it appears, captain Meyer was disgracefully confined in the cabin, or his state room, from the 23d February last to the first inst. at which time he was turned ashore at Charleston, under the most mortifying circumstances, and a personal attack by the said Johannes Tideman.

From all which circumstances, it is apparent to this court, that the charges made by the mate and crew, as well as the said Johannes Tideman, against capt. Meyer, are trifling, unseaman-like, and unworthy of being sustained; and that a clear and outrageous mutiny has been committed, as well against the captain as against the ship and cargo, to the great jeopardy of capt. Meyer's reputation and future standing in life, the risk of their lives, the loss of the vessel and cargo, and the contempt of the Hanseatic laws, as well as those of the city of Bremen. It is but just, therefore, that this court should interfere on the present occasion, to protect the rights of foreigners, curb licentiousness on board of their vessels, and punish aggression: thereby evincing that persons offending in similar laws, shall meet with their reward.

From the peculiar circumstances of this case, however, and the fears and excitements in which it appears Mr. Johannes Tideman was, the damages will be smaller than would otherwise have been decreed against a passenger of Mr. Tideman's standing in life, who was only a passenger on board of the ship, and not connected with her and cargo, as he was:

I therefore decree damages against the said Johannes Tideman, in favor of the libellant, capt. Otto Meyer, in the sum of one thousand dollars, with costs of suit; and that the said Otto Meyer be reinstated in the command of the Bremen ship Graf Zindendorff, captain, or master and commander of the same, with all rights, authorities, and powers, thereto resulting from the Hanseatic laws, the laws of the city of Bremen, and the written contract and agreement which he has reverted to, and with Daniel Tideman, the owner of the ship above mentioned.

DANIEL DRAYTON,

District judge of South Carolina.

Mr. Crafts for the libellant; for the respondent, Mr. Toomer.

Debates on the Slave Trade.

BRITISH HOUSE OF COMMONS—JUNE 26.

Mr. Wilberforce, in rising to bring forward his motion, on the subject of the papers laid before the house, concerning the abolition of the slave trade, observed, that the situation in which he now stood, was very different from that in which he was placed when he addressed the house upon this subject on a former occasion. A considerable period had elapsed before the different interests of this country could be brought to favor the abolition of the slave trade. That great object was at length accomplished, and the whole voice of Great Britain was unanimously raised against it. Shortly after that determination came the bill of his honorable and learned friend, (Mr. Brougham), which, by enacting a severe punishment of all those found engaged in this detestable trade, put the sincerity of the country beyond all doubt. It was proposed that the measures adopted by this country for the abolition of the slave trade, during the war, were to be followed up, on the arrival of peace, by the endeavors of our government to prevail upon foreign powers to carry into effect the principles which we had adopted. During the war we were the only carriers in Europe. The vessels of the other European nations navigated the ocean solely upon our permission. After the abolition of that detestable trade, which had lasted for more than two centuries, we found that the African was not that degraded being which he was supposed to be; we found that he was a being possessing the same reasoning powers with ourselves—a being who, when his liberty and property were secured, was anxious to attach himself to habits of industry, and to form himself into a useful member of a peaceful community. Such was the state of the case when that struggle, in which the whole of the European powers were engaged, terminated in a peace. On the ratification of that peace the noble marquis opposite, had used his utmost endeavors to induce the other great powers to co-operate with us in the abolition of the slave trade. It was gratifying to find that the great powers in question had all expressed the same sentiments of disapprobation of this detestable traffic—had also all expressed a wish that this scourge of the human race should be terminated. Spain and Portugal had hesitated most, but

they at length joined in the same feeling, and the utmost which they pleaded for was, that a certain period should be allowed to the persons then engaged in the traffic. This country had, with a liberality highly to its honor, granted to Spain and Portugal a considerable sum as a remuneration for the losses sustained by those countries, from the prosecution of our plan of abolishing the slave trade. It was natural that we should now enquire into the result of the treaties into which we had entered with those countries. And here he felt it necessary to mention what had been done by the noble marquis, (Londonderry) to whose labors and persevering ability the country was so much indebted on this occasion. The noble marquis had, in all his negotiations, supported this cause with the greatest zeal and earnestness.—[hear, hear!] Notwithstanding all the steps which had been taken, however, he was sorry to say that the slave trade was still carried on to an immense extent, and, in many instances, with a degree of barbarity sufficient to exhaust human suffering on the one hand, and human cruelty on the other, [hear, hear!] and more than sufficient to justify all which had been said of it on former occasions. The honorable member, after alluding to the conduct of the government of the Netherlands on this question, expressed a hope that that country, with which our interests were in a great measure bound up, would be induced to join us in our endeavors to protect so large a portion of our fellow creatures. He trusted that Spain also would be induced to join us in this great work. He was the more inclined to entertain this hope, from a knowledge that there existed in that country a number of great and high-minded individuals, who would be inclined to co-operate with us the moment that they felt the effects of living under a free constitution. From Portugal, also, he wished to entertain the same hope; but he was unfortunately forbidden to indulge that hope by the conduct of Portugal heretofore, that conduct having evinced the most decided disposition to pursue the traffic in slaves, merely for the acquisition of gain. Whether the new institutions in that country would produce any change in the character of its government, or in its commercial system, upon this subject particularly, he could not pretend to say; but it would be strange, indeed, if a country professing to sanction the principles of freedom and justice, should tolerate the slave trade, especially after governments, upon the principle of arbitrary monarchy, had decidedly declared against it. His wish was, that the several powers who had denounced this odious traffic, should appoint assessors to superintend and insure the execution of their views, and Portugal should be peculiarly called upon to attend to this arrangement.—[hear!] It was gratifying to learn that America, which had derived great benefit from this traffic, had acted very differently from that of Portugal.—[hear, hear!] As the Americans arose from the same source as ourselves, this indication of their character was a just cause of pride to Englishmen.—[Hear, hear, hear!] But it was extraordinary that a nation so high-spirited and chivalrous as France, had manifested quite a different feeling. It was impossible, indeed, for any man acquainted with the character of the French, not to feel extremely disappointed at the disposition of that people to persevere in this odious traffic, after it was abandoned by England, and its nefarious practices were universally proclaimed—for these practices were such as to throw into the shade the utmost cruelties which sullied the French revolution; for, while the latter might naturally be sup-

posed to proceed from passions strongly excited, the former could have no other impulse than a cold deliberate desire for gain.--[Hear, hear!] Here the honorable member took a review of the case of the French ships engaged in the slave trade, which were mentioned last night in the house of lords, by lord Lansdown, and in which slaves were found stowed in casks, while others were thrown overboard in casks, to avoid a search; remarking, in the most pathetic strain, upon the slaves and the crew afflicted with ophthalmia.

It was peculiarly revolting, he observed, that when this ophthalmic affliction was made known to the French government, the disease itself became the subject of mere medical analysis, instead of provoking any enquiry as to the horrid cause of its existence.--[Hear, hear!] The most effectual guard against the continuance of the slave trade would, he thought, be to allow the mutual right of search, by officers of each nation; and to such an arrangement the French government would, he hoped, be easily reconciled, for the establishment of such a right could, in no degree, compromise its pride or consequence, especially where an officer on the part of each nation should be appointed to direct that search. The American legislature had, much to its honor, pronounced any ship of that nation engaged in the slave trade, guilty of piracy. It were to be wished that all governments should issue a similar decree, for the most rigorous measures were necessary to counteract the wide-spread evil of this traffic. There were, no doubt, some papers on the table which alleged the diminution of this trade, but those papers were contradictory in themselves, and, therefore, by no means to be regarded as authority. This was the more evident upon looking to the representation of Sir G. Collier, who stated, that he saw 40 sail at the Havana destined for the coast of Africa, at the very time to which some of those papers referred, and that, at the same period, there were 28 sail in a certain river in Africa, (the name of which he could not recollect,) waiting to take in cargoes of slaves. The facility of obtaining such cargoes, it was lamentable to say, was considerably increased by the measures of this country for the abolition of the slave trade; for, through those measures, the unfortunate natives of Africa were encouraged to collect in villages, upon the banks of rivers, and on the coast, from which they shrunk while the ravages of the slave trade were notoriously uninterrupted and openly pursued by British shipping.--[Hear, hear!] He could not help congratulating himself on the part which he had taken in rescuing this country from that abominable traffic. But although England, which had formerly prosecuted this trade with the greatest vigor, and which had derived from it the greatest profit, had rescued itself from the disgraceful pursuit, the work of humanity and justice must still be incomplete while other nations were engaged in it. To induce those nations, then, to abandon that traffic, was a most desirable object. He imputed no lukewarmness or want of ability to his noble friend opposite. He was fully aware that his noble friend had great difficulties to encounter in the prejudices of foreign powers. The policy pursued by those powers was founded upon a mistaken sense of gain; mistaken he called it, for the Great Disposer of events had ordained that national gain could never be promoted by a violation of justice, and that the course prescribed by the principles of justice and humanity was also the course which was most consistent with commercial prosperity. The honorable member concluded amidst

much cheering, by moving an address to his majesty, recapitulating the principal topics in his speech.

The marquis of Londonderry said, that, in common with the house, he always listened with the greatest pleasure to every speech of the honorable gentleman who had just sat down, especially upon that great question of which he was the parent, and which, by his benevolent and persevering exertions, he had brought to a successful issue. He could assure his honorable friend that he had heard him with the greatest satisfaction, because, he observed, that, while he (Mr. W.) endeavored to rouse the feelings of the house, and of foreign powers, in the common cause of humanity, he did not omit to remind the house that this country was long a pregnant example of the iniquities of the trade, that it was long before even this moral and christian nation felt the full objections to the traffic in slaves, and could wind itself up to use the necessary exertions for its abolition. While his honorable friend, therefore, was pressing his majesty's government to make this appeal to foreign powers, he must feel that they could not be at once awakened to that state of moral feeling which we had ourselves attained only by slow degrees. With regard to the address proposed by his honorable friend, it was impossible that the house should not observe that many passages in it conveyed very strong and pointed reproaches upon the conduct of foreign governments. He (lord L.) had no hesitation in saying, that if he looked to the question merely in a political point of view, and with reference to the state of responsibility in which it was calculated to place him, he should feel himself bound to object to many parts of the address, and to modify many of its expressions. He trusted, however, that if he yielded to the proposition of his honorable friend, his motives would not be misunderstood abroad. It was right that foreign powers should know the truth, that they should know how the country and parliament felt with regard to this great question. He believed it would be impossible to give final and decisive success to the great work of humanity, unless foreign powers could be brought upon a common system of punishment as applied to this offence; his honorable friend was much mistaken, if he supposed that the principal difficulties in effecting this desirable object arose from absolute, and not from free and representative governments. On the contrary, the American government, though he was ready to admit that it acted upon liberal and enlightened principles with regard to the general question, was still, of all other governments, most opposed to a qualified system of common search. With regard to the two representative governments of Spain and France, though the slave trade had been abolished in Spain, the colonial interests had sufficient influence in the cortes to procure the rejection of a proposition for increasing the severity of the penalties. In France, the dealing in slaves was no crime by the existing laws; it was merely a civil offence, punishable by fine and confiscation of the property embarked in it, and the efforts of the French government had not yet been able to overcome the national prejudices so far as to render it a criminal offence. With regard to Portugal, he was compelled to observe, that that government formed an inglorious exception to the rest of Europe, and that it felt no disposition whatever to abolish the traffic in slaves. The Brazilians were as much persuaded that the abolition of the slave trade would be attended with the most ruinous consequences to themselves, as our colonists in the West Indies were ten years before his

honorable friend carried his bill. The noble lord concluded by declaring, that, although he objected to many parts of his honorable friend's address, as a diplomatic instrument, he was ready to support it as a moral appeal to the foreign powers, animating them to rouse the moral energies of their people to an active and cordial co-operation with this country in the great work of humanity.

Sir, *J. Mackintosh* said he did not rise for the purpose of answering what had fallen from the noble lord, in many of whose opinions he agreed, still less of denying credit to his majesty's government for what they had done since 1815, in order to carry into effect this great act of justice and humanity. He rose to avail himself of the opportunity afforded by the present question of manifesting those opinions, which, in spite of all difficulties and obstructions, must eventually obtain the unanimous assent of the civilized world. It was not by negotiations, whose inefficacy had been proved, but by reiterated appeals to the feelings of mankind, that they could hope to accomplish the abrogation, not of a single crime, but of a system of enormities which still assumed the name and disguise of a trade. He could not agree with the noble lord in thinking that the opinions of representative assemblies formed the true obstacle to the success of the question. He could not admit the excuse which was made for Portugal by reference to her interests in the Brazils, when he found that the Spanish provinces of South America had conquered all colonial prejudices; that all the native governments had, in spite of local interests, concurred in wiping out the stain of such a traffic from their character, while Portugal stood alone singular in the love of infamy, and obstinate in the refusal of any stipulation which might relieve her from disgrace. She had assented to the theory, but it was base enough to resist the practical application. It was in vain for the noble lord to urge the confusion of her government. There was no disturbance in her government for five years after the abolition had been carried in this country, yet these five years were permitted to pass without any attempt to follow the example. The noble lord had alluded to the possible objection of some future cortes, but not a word did he utter in condemnation of the absolute government by whose policy the measure was resisted. Portugal had sealed its own doom, and had pronounced its own infamy as early as 1810, and it was impossible to regard her in any other light than as a country which had proclaimed herself an outlaw from civilized nations, by refusing to assume even the semblance of virtue, and affect to carry into execution what it was base and profligate to oppose. The noble lord had alluded to our own delay. He was ashamed of that delay; he was ashamed of the victory of mean and petty interests over great and immutable principles, by which the abolition of the slave trade had been delayed so long. But the experience of the measure had placed the question upon different grounds. All Europe had our example before them; they would examine whether we had suffered from the abolition, and ascertain from our experience whether it was fraught with that destruction to our commercial interest which had been prophesied over and over. We had suffered great distress since the peace, but who had ever thought of naming the abolition of the slave trade among the causes of that distress? But this was not the only vantage ground which the noble lord had to stand upon. We were not now imposing our moral opinions upon other countries, but calling on them

to perform their own positive engagements. We were calling on the king of France to renounce what he had declared, under his own hand, to be contrary to justice and morality, and the principles of the Christian religion.

The noble lord had confessed that there was not a law against the slave trade in the criminal code of France, no law to punish this greatest of crimes—this inverted decalogue—this system which religion and morality forbade. The noble lord had stated, that the government of France apprehended opposition from the legislative body. If that was the defence of France, it must be false and unfounded, for those who opposed the government were those who called most loudly for the punishment of the crime. When the government made the experiment and failed, then and not till then would he allow that the fault was in the two chambers. But while he saw persons in high places, whose local prejudices disposed them against the question, he would repel the charge as a calumny against the people of France, and ascribe it to the bad principles of those who were high in the interests of the French government. How could they put faith in that government? Had they tried the captain of the *Roden* for murder? If they had no law against the slave trade, had they not a law against murder; and was he not guilty of murder under circumstances of atrocious aggravation? The description of the effects of this inhuman traffic, by our own commander, was dreadfully terrific; it recorded scenes and sufferings worthy of the pen of Dante, and there still lived a great poet in the same country, who had the power to inflame the indignation of mankind against the perpetrators and abettors of such atrocities. It was impossible to impute to any thing but connivance, the refusal of any government to bring such criminals to justice. Let any man consider the ramifications of this comprehensive crime; let him look to the effects of establishing a yearly sale of sixty thousand people, to the desolation and distress, to the robberies and burnings and blood which must prepare and support it, to the vices and murders which must grow up with it, and keep it in action, and then let him say whether the combination does not exhibit a mass of moral deformity, so hideous as to appal even the most practised perpetrator? It was his wish to acquit the French government if he could, but nothing should make him believe, that, if these facts were laid fairly before that high minded people, they could so far mistake their true honor and dignity, as to set up a claim of independence and to refuse to recognise a right of search, with the knowledge that such refusal must tend to facilitate the slave trade. It was the basest of human actions to color sordid views with the pretext of high and dignified purposes. Nothing should make him believe that a gallant and enlightened people like the French, would persevere in defending such sordid atrocity. The noble lord had spoken with praise of the American government; in that praise he most cordially concurred. She had done that without engagement or treaty, which the great powers of Europe had refused to do, though bound by the most solemn obligations; and he could not but rejoice in the reflection, that the two states, which were allied by English blood and liberty, were the first to wipe out of their own character a stain which other states retained, as if it were an advantage and a privilege. It was singular that they should both have abolished it in the same year, and again have concurred in putting the seal to the abolition by

ranking the odious traffic with other atrocious crimes. This measure, of making it a piracy, would necessarily produce that effect, and the world would soon admit that it was as infamous in Portugal to steal men from the coast of Africa, as it was now considered in the Algerines to steal them from other places. The basest hypocrisy had marked every step of the conduct of Portugal, with regard to her favorite trade. One ground upon which she justified its continuance, was founded on the falsehood that she was enabled to mitigate the horrors of the middle passage. Here were proofs to the contrary. Those horrors were increased, and every thing conspired to the shame of that nation which called itself Christian, because it was bigotted—and civilized, because it had the power to oppress. He would oppose to their civilized cruelty the conduct of the barbarous powers of Madagascar, who had consented to the abolition, and kept their faith. And here justice should be done to the marquis of Wellesley, who was the first Englishman in India who had carried the measure into effect, acting with an elevation of mind, in this instance, which distinguished him from the herd of vulgar statesmen. It operated as a discouragement with some, to think that the progress of the abolition had been hitherto slow. Its progress must appear slow to the impatient benevolence of good men.

Comparing it with the extent of human life, by which it was natural that we should measure the advance of human events, it must certainly seem dilatory and discouraging, but comparing it with the progress of time itself, and not to the small portion allotted to our existence, referring it to the records of history, and judging it by the movements of other great transactions, they would arrive at a better conclusion, and learn a lesson of patience, and of hope. He had heard the abolitionists called Jacobins and he lived to hear the slave trade stigmatised as one of the greatest crimes. The cause of justice and humanity had prevailed to such an extent, at least, and sooner or later must prevail in every case under the influence of this country, of reason and liberty. It was, therefore, impossible that he should despair. By continuing to appeal to the feeling of nations, and to the honor and reason of sovereigns, they must at length succeed in diffusing knowledge through the earth and banishing that system of crimes, so as to leave no memory of it but in abhorrence. [The conclusion of this speech, of which we have given but a faint outline in consequence of the lateness of the hour, was followed by loud cheering from every part of the house.]

Lord Milton said a few words in favor of the motion.

Doctor Lushington expressed a hope that America would consent to a mitigated right of search, as necessary to carry the law she had made into execution. He also observed upon the conduct of the French government with respect to the slave trade, subsequent to the application of sir C. Stewart, as evasive and insincere, and said it would require the most active exertions of the noble marquis to induce that government, even reluctantly, to perform its sacred engagements.

Mr. Bernal stated that it had cost us a million of money in all to prevail upon Portugal by stipulations not to trade north of the line; yet those stipulations were violated, and she carried on the slave trade as well on the north as on the south of the line. He adverted to certain cases in support of

his arguments, and likewise objected to the policy of the Netherlands, as evasive and unsound.

Mr. Marryat said a few words, to shew that the honorable member for Knaresborough had been mistaken in stating, on a former occasion, that slaves were treated better in the East than West Indies, and cited passages from Dr. Buchanan's book in support of his statement; he also animadverted on the difficulties thrown in the way of the question itself by the emperor of Russia, who had given the monopoly of supplying his dominions with sugar to Portugal and Spain, on account of our duties imposed upon foreign linen. He thought the powers favorable to the abolition ought to join in the prohibition of the consumption of Portuguese commodities.

Mr. Money said a few words in support of the motion.

Mr. Gurney asked whether there was any thing in the motion which pledged the house to support measures of hostility against those countries who refused to comply with the terms of the motion?

Mr. Brougham replied in the negative, and, with respect to the question, observed, that, although America had done much to put down the slave trade by her act of abolition, and by declaring the traffic piracy, yet, until the right of reciprocal search was allowed, her efforts could not be complete. This right of search had acquired an ill name by circumstances of the last war, but, as we now offered a present equivalent to America for what she could give up, and not any thing future and contingent, as when one was belligerent and the other neutral; he trusted the difficulty would be soon obviated.

Mr. W. Smith said a few words in vindication of the policy of America. [Cries of the question.]

Mr. Wilberforce explained.

Sir R. Ferguson said he knew it was irregular to rise after the reply, but he did so to state a fact relative to the slave trade in Bahia, where, he said, he knew 20,000 slaves to have been imported, 12,000 of which were sent to the Spanish colonies, and 8,000 remained in the Brazils.

The motion was then put, and carried unanimously.

CHAMBER OF DEPUTIES--SITTING OF JUNE 27.

Paris, June 28.--The deliberation of the budget of the minister of marine being resumed, and a grant of 5,958,000 francs being proposed for supporting the establishments of the colonies--

M. B. Constant--"Desiring not to abuse your patience," said he, I shall only address two questions to the minister of marine; I shall cite only authentic facts, and submit to you incontestible proofs? Whence comes it, that having in last session promised a more vigorous law against slave traders, than those which now exist, and which are in fact, found to be insufficient, he has now proposed a new enactment against the most atrocious of crimes which a malefactor can commit. The following are the words of the minister of marine on the 29th of June last year:—"It is certain that our legislation requires to be completed. I have concerted with the council general of commerce a project of law. I have made a report to the council. It is at present under its eye. If the session were prolonged, it might be presented, but it is probable that that will not be possible." At the same time similar promises were reiterated in a report presented to the chamber on the occasion of a petition since become celebrated. Thus, gentlemen, according to the declaration of the minister, our le-

gislation on the subject required to be completed. The law was ready; the close of the session was the only obstacle to its presentation, and yet the present session approaches its termination without any law being introduced. These delays, gentlemen, are not only injurious to the cause of humanity; they are prejudicial to the political situation of France, and the interests of commerce. You know that the English endeavour to persuade Europe that the trade cannot be repressed but by the right of mutual search. Our ministry refuse to establish such a right, and I approve of that refusal. Independently of the numberless inconveniencies which this right would occasion to our sailors, I would not intrust with foreigners, any police power over Frenchmen. Every government ought to be able to make its laws respected by those whom it governs; and every thing that bears the appearance of foreign interference, excites my indignation and aversion. But the more we resist, upon good grounds and from a just sentiment of national pride, the right of mutual search, the greater ought to be our expedition in establishing against the execrable traffic in slaves, a vigorous, efficacious, and efficient law; ours have not been so. If we compare them with those of other countries, we shall find that they are the most relaxed, the most scandalously indulgent, and the most easy of evasion.

England has declared it a felonious crime to carry off slaves from Africa; the punishment denounced against this crime are, confiscation of the ship and cargo, imprisonment, not only of the captain, but of the crew, and banishment to Botany bay of the former.

In the Netherlands, the crime draws upon the principal offender and his accomplices, a fine of 5000 florins and five year's imprisonment. In Portugal the trade is punished with the loss of the slaves, the forfeiture of the cargo, the banishment of the captain, the pilot, or the supercargo, to Mosambique, for five years, and a fine equal to the computed profit of the adventure. The same rigor prevails in Spain, with banishment for six years to the Philippine islands. In America the abolition is enforced by penalties still greater, and a cruising squadron on the coast of Africa.

We, on the contrary, see indeed a squadron, like that of the United States, but less vigilant; but we see no imprisonment, no banishment for the guilty. We see only confiscation of the cargo and the ship, with an incapacity in the captain to command in time to come. But who does not see that this punishment is nothing at all, considering that the profits of the infamous traffic are so great, that the success of a single expedition is sufficient to compensate for the penalties that may be awarded? We have therefore no need of the minister's pointing out to us the insufficiency of our legislation; but since it is insufficient, why has it not been remedied? Does he not believe in the crimes which our relaxed laws have produced? In a report, of which I have already made mention, the hon. reporter, who is a defender of the ministry, declared, according to M. de Mackan, commissary inspector at Senegal, that several merchants waited only for an opportunity to renew their criminal traffic. Why, then, did he not extinguish this odious hope by the law promised to France and to Europe? Here, therefore, I appeal to the good faith of the minister, and on this I ground my second question. Can there possibly be doubt of facts surrounded with evidence—of facts open to all the world, of facts stated in our diplomatic correspondence—and to the

authenticity of which our own agents can bear witness? I shall not go farther back than 1818, I read in a despatch of Sir C. Stewart to lord Castlereagh—"The minister of marine (then M. Mole) has informed me that the French government having begun, inquires relative to facts contained in a memorial addressed to the duke of Richelieu; he has had the pain to find that the information given was correct, and left no doubt that the reiterated violations of the royal ordinance against the trade, on the part of the French authorities on the coast of Africa, would derange the plans of the government for the civilization of the natives, and had produced calamities which years of indefatigable exertions could scarcely repair." And have things changed between 1818, and 1820? I see in a letter of lord Castlereagh, to Sir C. Stewart, of December last, that the English squadron stationed on the coast of Africa, had observed a great number of vessels, under the French flag, openly employed in the slave trade. The number of the vessels thus alluded to amounts to 25, and sir G. Collier, on entering the port of the Havana, met 30 slave ships under the French flag.—And how could there be any doubt on these facts, when a M. Pelletier, taken in the fact, instead of disguising his crime, vented menaces and demands on the loss of his slaves; when, on the 15th of March, 1820, he signs a protest, in which he declares that on the 1st of July, he sailed from Marseilles, with captain Guyot, for the coast of Africa; that on his return, the slaves were taken from him, and that captain Guyot died, chagrined at the loss—a catastrophe, which I confess, does not in the least excite my pity.

The report of the last year is contradicted on all points. It consisted, in a great degree, in vague protestations, and in reasons for delays which have proved to be indefinite. Yet there are in this report several facts, though each fact, then doubted, has since been rendered capable of demonstration. To be brief, I shall select only two, but they are sufficient to show the degree of confidence due to the denials of the honorable reporter, whose intentions and personal veracity I otherwise respect. The *Eliza*, of Bordeaux had been pointed out as having engaged in the slave trade in 1816. The reporter says, that she was suspected, but no judicial investigation took place, because no proof of the fact could be procured. No proof of the fact! I will ask the minister of marine if the original discharges for the sale of the negroes, bearing the name of the captain of the vessel, and of the purchaser, are not proofs? * * * The second fact is more grave. It concerns the *Rodeur*. It has been said that the facts of this case came from a *Sierre Leone Gazette*.—This I deny; the facts about the *Rodeur* are to be found, not in an English journal, but in a French work, stated by an ocular witness who had no object in his statements. This work is called the *Bibliothèque Ophthalmologique* of Dr. Guille, director-general and chief physician in the royal institution of the *Jeunes Aveugles*, and oculist to the duchess of Angoulême.—The fact is thus stated in that publication:—The ship *Rodeur* sailed from Havre on the 14th of January, 1819, for the coast of Africa, to engage in the slave trade.

When on the line it was observed that the negroes, crowded together in the hold, had contracted an ophthalmia. They were successively taken on deck to get air, but they were obliged to desist from that practice, because the negroes threw themselves overboard in each other's embraces. When they arrived at Guadaloupe the crew was in a frightful condition, and 39 of the negroes had

ing become blind were thrown into the sea. (A movement of horror in the chamber.) I have no doubt of the truth of these facts. (The member gave proofs; and *M. Pymmarin* was rebuked by the president for having called his statement a calumny.)

The trade continues; we know the date of the departure, and the arrival of vessels, and the sale of cargoes. *The prospectus of the voyage is advertised.* The object is only slightly disguised by calling the negroes, *mules*. Read the official reports respecting the *Jeune Estelle*—14 negroes were on board—the ship was surprised—no negro could be found—search was made in vain; at last a groan was heard from a cask—it was opened—two young females were found in a state of suffocation, and several other casks of the same form and dimensions had been thrown into the sea!

After enforcing these facts, and calling upon all parties to unite in putting down this infamous trade, by demanding an efficient law, M. B. Constant concluded by declaring that the government had not observed the obligations of good faith on this subject; that the confiscated negroes continued the property of government; that the government enjoyed the bloody heritage of the criminals whom it punished; and that those who ought to be free when taken from private traders, were rendered the slaves of the government. This speech excited a great ferment in the chamber. The minister of marine denied some of the facts stated, and palliated others. England, he said, had been 17 years in being reconciled to the abolition. He denied that 30 vessels could be met by an English squadron. As to the ship *Rodeur*, two decisions given on the prosecution of the attorney, declared the statement false. The case was now before the court of cassation.

The grant for the support of the colonies, after an angry discussion, which had no farther interest, was finally agreed to. M. Manuel made a speech about the colonies, for which he was tumultuously called to order.

Effects of Slavery.

FROM THE RICHMOND ENQUIRER.

It is a fact, which cannot be denied or controverted, that there is *something* in the present policy of Virginia, decidedly *unfavorable* to her speedy advancement in those political and internal improvements, which have elevated some of the northern states to a pitch of enviable eminence; who, but a few years ago, were our inferiors in rank, wealth, and apparent prosperity. And if the same causes continue to operate, during another such a period, (as they infallibly will, unless we are roused from our lethargy) the state of Ohio, one of the youngest in the union, and formed out of the *wild fragments* of Virginia, bids fair to rival in population the ancient dominion itself. With these facts staring us in the face, it becomes the duty of every friend to Virginia to pause and reflect, whether there is *still* any just cause for the foundation of that state pride which we have hitherto cherished: and if not, to endeavor to point out some of the causes of this retardation of the general prosperity.

There can be no doubt that *slavery*, that inert mass of our population, is one great cause of all our misfortunes: for that is the *dead weight* which mars all enterprise, and clogs all the wheels of our political machine. No man who has given the subject proper consideration, will deny, that if Virginia could, by any means, exchange the *whole num-*

ber of her blacks, for only *one half* of that number of whites, she would then be ready to take a fair start in that race of active improvements, now running by most of the free states. But, encumbered as she is with her black population, with a prospect of that encumbrance increasing to a considerable degree, she will find more occasion to *watch* than *improve* her condition under her present system.

Slavery, even in its mildest form, is still a kind of civil warfare, where the servants perform but *half* the ordinary work of freemen, and *pilfer* all they can with safety besides. It is useless to expect pure honesty without pure morality: and who will deny that the whole intercourse between masters and slaves consists in a demand for gain, and *passive obedience* on the one hand, and *authority* on the other! The sooner, therefore, we make the beginning of an attempt to relieve ourselves from this grievance, the sooner we shall discover our *true*, and rely on our *own* resources: and thenceforward be prepared to advance with confidence and rapidity, in the enviable contest for improvements. We have too long done nothing more than *talk* and *lament* the existence of this acknowledged evil: founded on a disregard of *all first principles*, "*AB INITIO*;" and the world now expects and demands some evidence of *sincerity*, and longs to see the commencement of some system that may promise eventually to eradicate this stain from our national escutcheon. It is the commencement only of some generous system, concerning which we are so anxious: and for the *consummation*, let that period be fixed at some such *far distant* day, that no man shall have *just* cause to object and say nay, you insure my property. For instance, let us pass an act, declaring, that all *involuntary servitude* shall cease to exist within the territorial limits of Virginia from and after the first of January in the year two thousand. Such an act would not reduce the value of our slaves *one cent* to the present proprietors, nor to the next generation, nor even to children of that generation: while at the same time it would give us all the time and opportunities we could desire, to dispose of or exchange that *dead* property for a more *useful* and profitable kind.

By some such regulations, and affording facilities to the free blacks to emigrate to Hayti or Cuba,* (for Cuba and all the West India islands, are destined to undergo, in a very short time, all the horrors and fate of St. Domingo,) you will lay a sure foundation for the future permanent prosperity of Virginia.

NESTOR.

Tobacco.

In the year 1647, when the use of tobacco first began to prevail in the New England colonies, the legislature of Connecticut passed a law, ordering that no person, under twenty years of age, nor any other, who had not already accustomed himself to the use of it, shall *take any* tobacco until he had obtained a certificate from an approved physician, that it was useful for him, and that he had also obtained a license from the court. All others, who had addicted themselves to the use of it, were prohibited from taking it in any company, or at their labors, or in travelling, unless *ten miles distant from any company*; and tho' not in company, nor more than once a day, upon pain of a fine of six pence for

*What will be the situation of the slave holding states when those events take place?

every such offence. One substantial witness was to be a sufficient proof of the crime. The constables of the several towns were to make presentment to the particular courts, and it was ordered that the fine should be paid *without gainsaying*."

What terrible times such a law as this would produce at the present day! We can hardly conceive of a proposition that would be more likely to excite an insurrection against legitimate authority than such a one as this. And such an insurrection would inevitably prevail, and in the end overthrow the government, because we have not the slightest doubt that a majority of the male population of our country would be found to be either snuff takers, smokers, or tobacco chewers. One good thing would result from such a law, provided it could be well executed—a *fine of six pence for every offence* would very soon form a capital fund for finishing the grand canal from Lake Erie to Hudson.

Essex Register.

Miscellaneous Articles.

Boston Glass.—The Boston Centinel, after describing a late tornado, makes this observation:

"We cannot omit to remark, that, in houses equally exposed, the windows of *Boston glass* escaped, while those of imported glass were as if perforated by balls. The benefit of the modern method of setting glass, with the convex face outward, will not escape observation on this occasion."

Close shearing.—We observe by a notice in the "Dutchess Observer," that the farmers of Dutchess county have been *shorn* of all their wool by a most singular operation—or, in other words, that nearly all the wool in that county had been sold to Isaac Butler, cashier of the Litchfield bank, who had recently failed, and assigned his factory, wool, &c. to the bank, as security for debts, leaving the farmers to suffer.

The story, as told by "one of the shorn," is briefly this: The Wolcottville factory, formerly belonged to Mr. Wolcott, who failed, being largely indebted to the bank. As the bank is prohibited from buying and selling property, their cashier, Butler, became nominally the proprietor. The belief that James Butler acted in behalf of the bank was so universal, that he had obtained an unlimited credit. The agents for the factory have recently made large purchases of wool, in the usual manner, upon the notes of James Butler. A great proportion of the wool raised this year in Dutchess county has thus been purchased, and carried over to Litchfield; and as soon as the same is well packed away, *James Butler, the cashier, is discovered to be a defaulter to the bank for some \$16,000*, and he assigns his factory, and the stock, thus fairly and recently acquired, to the Litchfield bank. The bank is paid—the farmer has a *Litchfield shearing*—and *James Butler, the cashier, is an insolvent.*—*N. Y. Journal.*

SUGAR. The total amount of sugar imported into Great Britain and Ireland, from all the British colonies, was 3,623,319 *cwt.* during the year which ended on the 5th of January last. The export was about equal to 1,659,556 *cwt.*

SOUND. In captain Parry's journal of his voyage for the discovery of a north west passage, it is stated that the distance at which sounds were heard in the open air, during the continuance of intense cold, was so great as constantly to afford matter of surprise to him, notwithstanding the frequency with which he had occasion to remark it. *People might often be heard distinctly conversing, in a common tone of voice, at the distance of a mile.*

REPARTEE. From the *Poughkeepsie Herald*. On Monday last, during the eclipse, as several young gentlemen were viewing the sun through smoked glass, a young lady passing accosted them: "Pray, gentlemen, what do you observe?" when one of the gentlemen replied, "As you were passing we observed an eclipse of the sun."

Our mountains.—Many have believed, and possibly there are some who continue in the belief, that the Catskill Mountains were neither capable of cultivation nor of access. The fact is directly the reverse. To say nothing of Windham, Durham and Lexington, where the older settlements have given an aspect to the mountain scenery, more nearly resembling Connecticut than any thing rough and unproductive, the town of Hunter is of itself a proof of our position. Five years ago, the greater part of what is now comprised within the limits of this town, was a wilderness, void of population, and deemed almost inaccessible. The extensive establishment of col. Edwards, (of which we intend to give a more particular description hereafter), has given a new appearance to every thing within its vicinity. The soil is cleared, farms and fine fields of grain already variegated the landscape, and a score or two of neat and comfortable dwellings greet the eye. If this settlement, and its valuable manufactories, have not sprung from enchantment, they are at least very gratifying examples of the progress of an untiring and enterprising industry. A more pleasant excursion cannot be taken, than a summer or autumnal visit to the Catskill mountains. The Falls, the Clove Passage, the view from the Pine Orchard, the works of art and industry, and the purity of the atmosphere, are objects worthy of regard, and well repay a few days absence from the dust and sameness of city employment. No stronger proof of the salubrity of the mountain atmosphere can be given, than that, in the town of Hunter, which contains a population of more than one thousand souls, not one person, of an adult age, has died during the last two years.—*Catskill Rec.*

MOVING BOG. A late London paper contains the following extract of a letter from a gentleman at Clara to a friend in Athlone, dated July 4, 1821:

"Since I had the pleasure of seeing you, I have paid a daily visit to the moving bog, and have to inform you, that, in addition to the destruction you witnessed, there are now upwards of 200 acres of cornfields, meadows, pastures and low lands covered. Its motion since, continued in a slow, but certain pace along the valley, below the ancient bridge of Inau. It is rather singular to state, that, from its first eruption, Tuesday, the 26 ult. it continued immovable, up to Saturday the 30th, when it commenced to spread and raise its surface, as described. On reaching the lands of Roheen, the property of Ambrose Cox, esq. at about 7 o'clock this morning, the entire population of this town and neighborhood were again thrown into extreme confusion, by a fresh convulsion of its leading and terrific front, which rolled the pasture lands mountains high before it, and pressed with great velocity across the glen, towards Woodfield House, the seat of Abraham Fuller, esq. who has at present nearly 1000 men embanking before his dwelling, endeavoring to direct its course in the line of Ballyboughlan.

"It is at this moment, 3 o'clock, within twenty perches of Woodfield bridge; but certain it is, that, ere this reaches you, the road and bridge will be either covered or overturned, thereby cutting off the communication between Clara and Moate by Woodfield. On the south and east sides, it has also

overrun the meadows and cornfields; the owners are cutting down the green corn for their starving cattle. The cornfields and meadows near the Old Mill, over and through which we passed with ease on Monday, are now buried beneath huge masses of this floating element, and the upper country is completely inundated, threatening desolation to the surrounding inhabitants.

"There is no knowing where this evil may end; the calamity, it is considered, will be incalculable, should it get into contact with the river of Ballyboughlan, of which there is at present very little doubt.

"It is really indescribable the immense numbers that have visited this phenomenon; the roads are nearly impassable, as hundreds are seen hourly passing and repassing."

Foreign Articles.

FRANCE.

In a debate in the French chamber of deputies on the 25th of June, upon the budget—the appropriation for the department of the marine being under consideration, M. Sabastrani, after pointing out a number of defects in the administration of the department, observed, "It has been said that our building is superior to that of America and England; the Americans have a great superiority over us, and if we have good builders, as they follow a vicious system, we cannot support a meeting with them with equal forces."

SPAIN.

Extract from the king's speech on the prorogation of the cortes.

"Our relations of good understanding and friendship with other powers have experienced no change since the opening of the session; and I will endeavor to preserve them by all the means which are in my power, and which may be consistent with the dignity of the heroic nation which I am proud of ruling.

"The treaty with the United States, which terminates our differences with this government, and includes the cession of the Floridas, has been ratified by the president; and the ratifications have been exchanged on the 22d of last February. I flatter myself that in consequence of this treaty, and of the settlement of our boundaries, which is to be effected by a mixed commission, our relations with the U. States will hereafter experience no alteration.

"In consequence of the new order of things in Portugal, &c. I shall profit by the return of his most faithful majesty, to resume the long suspended negotiations relative to the occupation of Monte Video and the eastern bank of the Rio de la Plata.

"I shall spare no effort to obtain the re-establishment of order in the provinces beyond sea; and my government, urged by the cortes to take the measures which it may deem suitable for their happiness, taking into consideration the state of those countries, will obey the call with that promptitude and generosity which characterize it. The Spaniards of both hemispheres must be convinced, that I desire nothing so much as their happiness, founded on the integrity of the monarchy and an observance of the constitution.

"The interior of the kingdom enjoys tranquility: the only band of factious men, which has existed in small numbers, has been dispersed and defeated, by means of the energetic dispositions of the government and the zeal of our troops. It is to be hoped

that its ill success, and the amelioration of the public spirit, will cause enterprizes so made to be henceforward abandoned, impotent as they are, to impede the majestic progress of our system."

The Diary, of Barcelona, states, that there are 148,243 priests in Spain, whose income is calculated at 18,650,000,000 reals, besides 300,000,000, arising from tythes and first fruits, and 133,000,000 from other sources. If a nation of ten millions can be free and liberal with such a burden and influence, we know nothing of checks and balances. Unless the number is reduced *seven-eighths*, and the income as much, it is in vain to look for tranquillity in Spain.

PORTUGAL.

By a late arrival from Lisbon, we learn that the king of Portugal had arrived there from Brazil, but was not suffered to land until he had signed the new constitution—his officers of state were ordered back. Lisbon, it is stated, was in much confusion.

TURKEY.

It is now estimated that the number of the Greeks murdered at Constantinople, since the commencement of the revolt, is not less than 40,000, and most of their churches have been plundered. Such was the state of that city, that the British ambassador had resolved to send his lady to Corfu. Two Turkish ships, of 50 guns each, and four brigs, had been delivered up to the Greeks by their crews. About 900 Turks, who were landed at Milo, as prisoners of war, were all massacred when the news of the murder of the patriarch was received.

Cephalonia, June 2. We learn that our government has resolved strictly to enforce the treaty of the 21st March, 1800, according to which "the Barbary corsairs cannot navigate within 40 miles west of the Ionian sea." The benefit of this neutrality extends, "independently of the islands situated from Arlone, in the Adriatic, to Cerigo, in the Archipelago of the Egean sea," which leaves a fine line of operation for the vessels fighting under the flag of the cross, since the barbarians of Africa cannot approach the coasts of the continent and the Morea, without directly violating the positive stipulations of the treaty of 1800.

PHILIPPINE ISLANDS.

These islands, said to amount in all to about 1100—some of them large, but most of them very small, mere rocks and uninhabited, contain an aggregate population, according to a set of printed tables published at Manila, of 2,237,210 souls; divided into 10 or 12 classes or casts.

BRAZIL.

Is in a very unsettled state. On the 5th of June the third explosion took place among the troops stationed in Rio de Janeiro, which ended in compelling the prince royal to dismiss Condedos Arcos, secretary of state for foreign and interior affairs and secretary of marine, from his command, with orders to leave Brazil in five days—also, to appoint a junta provisional, to govern Brazil, agreeably to the constitution of Portugal.

PERU.

Lima still held out at the date of our last advices; and, though the blockading army and navy were powerful and in fine spirits, hoping for the reduction of the city, a speedy capture of it did not appear probable.

COLOMBIA.

The press (says the "Aurora") already spreads its powerful light over the South American regions, in proportion as freedom accomplishes her triumph over despotism. Since May of the present year, three public journals have been publish-

ed in the Colombian republic, besides those that had been previously established there.

At Santa Martha, 'The Gazette of Santa Martha.'

At Maracaibo, 'The Correo Nacional.'

At Cucuta, 'The Equatorial.'

All the papers are printed much superior in manner to the papers of the United States, thirty years ago; and to the papers of England, which now surpass all the world, eighty years ago. Such being the progress, what may not be expected from all South America and Mexico, as free from royal tyranny as Colombia now is.

The following letter from gen. Bolivar to the congress of Colombia, assembled at Cucuta, verifies the best hopes of his friends, as well as all who desire the establishment of a government over this fine country, based on principles similar to that of the United States. After eleven years of struggle, with sufferings unparalleled, the people of Colombia have accomplished their emancipation, and, after fighting the conclusive battle at Carabobo, Bolivar emulates the example of Washington and gives up his command!

President Bolivar to the congress of Colombia.

SIR—The act of the installation of the general congress of Colombia, composed of the representatives of seventy two free provinces, has consummated the most ardent wishes of my heart. The republic, founded on the complete union of the representatives of the people of Cundinamarca and Venezuela, is now destined to accomplish that liberty and prosperity, to which every free people have the right to secure; and I have at length had the good fortune to see that day, when the only legitimate depositories of the sovereign authority of the people, are already in the happy exercise of their sacred functions—From this moment I consider myself exonerated from the charge of the executive power, with which it has been the pleasure of my country to entrust me.

Appointed by the congress of Venezuela president of the state *ad interim*, your more comprehensive authority as the representatives of all Colombia, terminates that trust, and places in your hands the future disposition of the executive power.

I have endeavored to fulfil the duties which have devolved upon me in arduous times; and, as no one can so well estimate my feelings on this subject, I freely assure you, sir, that I feel too diffident of my own qualifications, to undertake the further responsibility of that important station, with that effect which is indispensable to the future prosperity and glory of the republic. The military profession does not appear to me compatible, when united with the functions of the civil magistrate; and besides, sir, I confess, that after the career through which I have run, now that all dangers have disappeared, I am no longer disposed to endure the injurious aspersions of my personal enemies; my own reputation requires, and my feelings present, an insurmountable repugnance to any further indifference to these considerations.

Be pleased, therefore, sir, to accept, with your accustomed liberality, my most fervent homage—the declaration of my adhesion to the authority of the nation—and my oath of entire submission to the institutions and laws that you are authorised to establish on behalf of the people of this republic; but I must repeat, that should congress again insist, as I fear is intended, to re-invest me with the presidency of the state, that, in such an event, I must, from that moment, protest against the purpose; and that, if unfortunately it should be persist-

ed in, I shall then be compelled, not only to abandon my character of a citizen of this republic, but my beloved country also.

I am, sir, &c.

SIMON BOLIVAR.

CHRONICLE.

Milligan, the person who robbed the Phoenix bank at New-York, has been caught near Montreal, and lodged in the jail there. The chief part of the money that he took with him was found in his possession.

The storm. On Monday last we experienced a great fall of rain at Baltimore, but there was not much wind—yet at New-York, Philadelphia and Norfolk, there appears to have been the most tremendous gales ever felt at these places. The list of vessels damaged at New-York, with some other particulars, occupies two columns in a newspaper, and all the damages could not have been ascertained. The wharves were overflowed to the depth of from 12 to 20 inches—ships were driven ashore, or against each other with great violence, by which stems, sides and sterns were stove in. A large number of chimnies were blown down, houses unroofed, trees split or prostrated, &c. The steeple of a church was thought by several observers to have rocked three feet each way, the leads were torn off from a building attached to the hospital, and a number of houses were completely blown down! At Philadelphia, also, great havoc was made among the trees, chimnies, &c. Out of 14 beautiful Lombardy poplars at the navy yard, "ten were entirely blown up by the roots." The roof of the bridge at the "upper ferry," over the Schuylkill, was carried away, and the building that surrounded the Aloe plant was blown down. Christ church steeple shook considerably, and one of the chimnies was prostrated. The fields of grain and the fruit trees suffered extremely, and great damage, it was expected, was sustained by craft in the river, but the vessels in the harbor do not appear to have suffered much injury. The water that descended in the afternoon was estimated at 3 in. 92-100! There was not any thunder or lightning. At Norfolk, the storm appears to have raged with equal, if not superior violence—the account is terrible: the falling of a flood of rain, the power of the wind, the crush of windows and prostration of chimnies, the rise of the tide, the darkness of the heavens, &c. &c. seemed to threaten general destruction. Many vessels were seriously damaged, and houses blown down. The U. S. vessels at the navy yard, to wit. the Delaware 74, Guerriere and Congress frigates and ship John Adams, were driven from their moorings, but escaped much damage. Several streets were overflowed and a great quantity of goods injured. In this woful war of elements, we only hear of one life being lost, at Norfolk, but many lives must have been lost in the bays, rivers, &c. The storm appears to have been as severely felt on the eastern coast, and the aggregate of the damages sustained must be enormous.

Counterfeiters. It is said there was a nest in Alabama, containing 40 persons and 8 presses, employed in *modern banking*. It appears they have been disturbed by the civil authority. It is a great pity that there is not a rightful equality as to such things—we cannot see why one set of men that issue notes, with a "promise to pay" upon them, which they know is a deliberate falsehood, should be patronized—and another, doing the same thing, be persecuted.

Died, at Belfast, Maine, *Laughlin McDonald*, believed to be more than 100 years old. In Fairfax, co. Virginia, *Richard Thomas*, aged 107—he was a native of that state and lived to see the sixth generation.

A British tourist. W. Budd has lately "made a book" about us. He speaks of Cincinnati as a "lively flourishing place," with "8 or 10,000 inhabitants," at which every thing has "the appearance of uncultivated rudeness." He talks about using "wooden plates and spoons," speaks of the state of religion, and says "a conjurer would be adored" there: concluding that it is much better for British emigrants to proceed to *Canada* than to the United States. By this we are enabled to *understand* him perfectly. But, if the British government would look a-head, one of two things must appear to be inevitable as to *Canada*, if it ever becomes well populated - that it will *set up for itself*, or join the United States.

Emigration. It is stated that the whole inhabitants of a Prussian village, including their clerical pastor, about 100 persons in all, have recently arrived in the Chesapeake.

Runaways. The Baltimore papers are often graced with sheriffs' advertisements of negroestaken up as runaways, in which, though the person says he is free, the "owner" is called upon to take him away, otherwise he will be sold for his fees. A free black may be imprisoned here, and sold for a term of years to pay the charges of keeping him confined, &c.

Rapid travelling.—Agreeably to the present arrangement of steam boats and stages, a person may leave Baltimore and arrive at the Saratoga Springs in 54 hours—a distance of 384 miles.

Sharks. Several of these voracious animals have lately been taken in the very slips of the port of New-York.

Lieut. Baury.—We learn by the Middlesex Gazette, that congress have voted a sword to the relatives of lieut. Frederick Baury, deceased, and that it was presented on the 3d ult. to his brother, the rev. Alfred Baury, of Middletown, Con. Lieut. Baury distinguished himself in several of the naval actions which took place during the late war. He was a midshipman on board the Constitution at the time when she sunk the *Guerriere* and *Java* frigates; after the last of these actions he was promoted to a lieutenancy and attached to the *Wasp*, commanded by the lamented Blakely, and was in her when she fought and conquered the *Reindeer* and *Avon*. Soon after the battle with the *Avon*, the *Wasp* was missing, and nothing satisfactory has ever been heard of her fate, or of her gallant crew. Lieut. Baury was a native of Middletown. The sword bears the following inscription—"Altiis ibunt, qui dei summa nituntur."—(Those highest soar, who loftiest summits dare.) [Mercury.]

Spanish play bill.—It was not an uncommon thing until since the revolution in Spain, for plays to be performed there for the benefit of the Virgin and Saints, and balls given for the deliverance of souls from purgatory. On an occasion of the above description, the following play bill was circulated: "To the Empress of Heaven, Mother of the Eternal World, and leading Star of all Spain, the consolation, faithful sentinel, and bulwark of all Spaniards, the most Holy Mary. For the benefit and for the increase of her worship, the comedians of Seville will perform a very pleasant comedy, entitled *El Legatorio*."

Most extraordinary case. The man of whom several accounts have recently been published of *swallowing jack-knives*, bullets, marbles, &c. died in the alms house on Sunday, in consequence of overloading his system with those articles. He gave a history of his life to the attending physician, in which many wonderful facts will doubtless appear. On opening his body, *twelve knives*, (all shut), were found in his stomach, one of them four inches and a half in length, and one and a quarter wide, and among them the pocket knife of the Philadelphia physician, with his name on it. An authentic report of this very remarkable case will undoubtedly be made in the Medical Repository, with more particulars than would be advisable to give on our hearsay authority.—*Patron of Industry.*

Philadelphia city and county contains 27,000 taxable inhabitants. The city, proper, had 12,697 of these, and its liberties and suburbs pretty nearly all the rest, except about 3000.

Norfolk. We regret to notice that the malignant fever still exists in Norfolk. There were four deaths by it on the 30th ult. among them Mr. Timberlake, the inspector, or chief acting officer of the board of health. He fell a victim to his assiduity in performing his duty. On the 31st, there were five deaths by the same fever.

New-York. The convention to revise and amend the constitution of this state, met at Albany on the 28th ult. D. D. Tompkins was chosen president, almost unanimously, having 94 votes—Rufus King 9, and two other gentlemen one each.

Indiana. We have just received the "glorious news" from this state, that a large quantity of paper of the new state bank has been received,—for the purpose of making bankrupts hereafter.

Indiana and Illinois. The commissioners to fix the line between those states, have performed their duty, and ascertained that "the north-west corner of the state of Indiana is 3 miles, 64 chains and 14 links in lake Michigan. The line intersected the lake 11 miles, 4 chains, and 46 links west, and 6 miles, 15 chains, and 86 links north of the southern extremity."

Tennessee. What is published as a complete return of the late election for governor in Tennessee, gives 42,266 votes to gen. Carroll and 11,200 to Mr. Ward—majority for Carroll 31,046.

Cincinnati, Aug. 4.—Having noticed in your paper of the 7th inst. an account of a family party, which recently dined together in the state of New York, consisting of 76 persons, including children, their companions, and grand children,—I send you the following statement of the number of persons (reckoning in the same way) composing a family in Green township, Hamilton county, Ohio.

Michael Isgrig and Barbara his wife,	2
Children 17, married 14,	31
Grandchildren 96, married 7,	106
Great grandchildren	22

Total 158

The above 158 persons are descendants from one marriage. Mr. Isgrig is still a remarkably active man for his years. A. B.

Halifax, N. S. July 28.—A short time since, a Halibut was caught at Calm Harbor, measuring five feet, which, upon being opened, was found to contain in its maw, one salmon, weighing seven pounds, (quite fresh,) two shad, five skulpins, seven lobsters, 2 flounders, and a variety of other small fish

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A PROSPECTUS OF THE REGISTER accompanies the present sheet, and the editor solicits the attention of his friends, that the circulation of the work may be further extended.

A valuable communication from a "Farmer" shall appear in our next.

EUROPEAN NEWS. There are strong appearances of war between the Russians and Turks—see page 47. If it takes place, there is no calculating at what point hostilities will stop, or what nations will be involved in them. The present state of Europe is such, whether its governments or people quietly remain as they are, or burst out in a hurricane of desolation, we shall not be surprised. It is hardly to be expected, however, that Britain, France, &c. will passively behold a transfer of European Turkey to the Russian sceptre—so long the favorite object of Russian ambition.

There are various speculations as to the course which the other great powers will pursue, provided Russia shall declare war against Turkey—surely they will not resist the "magnanimous Alexander!" Even the British stocks had fallen two per cent. in consequence of the expected rupture. It seems quite certain that a Russian army was about to invade Turkey, and count Wittgenstein, with 120,000 men, is said to have declared that he would be in Constantinople in two months. There is a strong report that Austria is seconding Russia, and also sending an army into Turkey. The Austrian minister had been grossly insulted, as well as the Russian. A captain and five sailors in the Austrian service had their heads cut off, without trial, by order of the grand seignor; who, with his Turks, it will be seen, are carrying on the most horrible massacres of the Greeks ever heard of.

HEALTH. Two cases of malignant fever have appeared at New-York; and in Norfolk, judging by the relative population of the two places, that disease is several times more severe than in Baltimore. The deaths there, in consequence of its prevalence, amounts to three or four a day; and yet at Norfolk, as well as in Baltimore, the disease appears to be confined to a small district of the town. It seems, however, to yield to medicine—out of 26 "decided cases," we are told that one physician has cured 17; and others are said to have been equally successful. A few cases also occur in some of the southern towns, but Charleston and Savannah are remarkably healthy.

HEALTH OF BALTIMORE. *Interments for the week, ending yesterday morning, September 14, at sun-rise.*

	malignant.	other.	total.	under 5.	col'd.
Sept. 8,	5	7	12	5	0
9,	4	5	9	5	3
10,	1	7	8	6	0
11,	3	13	16	8	4
12,	0	14	14	6	6
13,	1	6	7	3	3
14,	1	5	6	3	2

Whole number of interments 72

VOL. XXI, —3,

THE SUSQUEHANNAH. A spirit is at present excited which, we think, will open this noble river to a good navigation. The craft already prepared for its commerce at Columbia, even with the present obstructions, it is said, is able to carry to the tide of the Chesapeake one thousand barrels of of flour per week, when the river is in its lowest state, and double that quantity when in good "boating order." These newly constructed boats are about seventy feet long, twelve broad, and, when laden with 150 bbls. of flour, will not draw more than eight inches.

POPULATION—1820. We see it noticed that the returns of the late census give the gross population of South Carolina at 502,309—particulars not stated. In 1816, we estimated that the aggregate, in 1820, would 498,140!

VALUE. A gentleman in Western Virginia directs the REGISTER to be stopped, because he used to pay for it annually with one barrel of flour, but that three will not do it now. Another, a miller in Ohio, on paying his advance to my agent, observed, that he had sold *four barrels of flour* to obtain the note of *five dollars* which was remitted!

Now, I like to see such calculations made by the people, and cannot complain of their operation; even if against my own interest, because I was among the most zealous writers that recently drew the attention of the public to practical political economy and statistics. It shews a *reasoning mind*, and there is safety in it—its power will reach the capitol, where the matter has hitherto not been thought worthy of consideration, unless by a few, who looked beyond the very day present. But, in self-defence, I must be permitted to query, whether, because I predicted such a state of things and urged a remedy to avoid it, by the creation of a *home market*, there ought to be such application of my own arguments to operate against me, as in the case first above stated? Certainly, it is not *my* fault that national industry has suffered so severe a prostration, and that our country has been beggared by the use of foreign articles, which we ought to have made for ourselves; for I have publicly and privately resisted them both to the utmost of my power.

EDITORIAL CONTROVERSY. The champions of the type, the editors of the National Intelligencer and of the Richmond Enquirer, are at war as to the rights and powers of the supreme court of the United States. The former seem rather indisposed to come directly into contact with the reasonings of the latter, for which Mr. Ritchie handles them pretty severely. He says they "skulk from the great question at issue," promises, however, that they "shall not escape," &c. firmly maintaining the old ground about implied powers and constitutional rights, for which that paper has always been remarkable.

Without entering into the contest we may venture an opinion, perhaps, that the time has arrived when the public good requires a settlement of the point, whether the *opinion* of the supreme court is, for is not, the supreme law of the land; for such,

in some cases, it has seemed to be. The most fashionable word that I remember to have heard among those with whom I associated, in 1798, was *responsibility*; but I fear that it has rather grown obsolete in these latter days.

"OUR FATHERS—WHERE ARE THEY?" It is a mournful, but a tender duty, to notice the departure of the heroes and sages of the revolutionary period; and, in reviewing their character, it may tritely be said that "there were giants in these days." The large list of them, deceased, as noticed below, was collected from the news-papers in about the two last months, and is no doubt, much short of the real number which, in that time, have left us, for "another and a better world." It is, however, sufficient to shew us that nearly the last of the great crop of heroes produced in the years 1775 and 1776, are falling, like the ripened corn, before time's sickle, and that few can remain much longer to tell the wondrous story of our nation's birth—how they suffered on that trying occasion, how they fought by the side of Washington or Greene, or held solemn political communications with Franklin or Hancock. Those who at Saratoga and Yorktown, Monmouth and Eutaw, grasped the sword with all the ardor of youth and energy of patriotism, are gone—or have become enfeebled by age and resting on a staff, to support their tottering limbs; and all must soon be confined in the "narrow house, appointed to all the living," and become "dust and ashes." This is a mortifying reflection to pride, but a great encouragement to the humble—for the time is at hand when virtuous deeds will avail—when all the pomp and power of this world will amount to nothing. Where is even the late mighty Napoleon—he that strided the Alps as if they were a mole-hill, and regarded the cloud cap rocks of the Pyrenees as stepping stones—who would have grasped in his arms the furthestmost fountain of the heated Nile and the frozen mouths of the Lena? He has left this busy bustling world—but, unlike WASHINGTON, he did not leave behind him a free people, invested with the power and claiming it as their natural right, "to regulate their own affairs in their own way." Crowns were his play-things and the sword his instrument to obtain them—his government was that of force and not of reason; animal strength his agent to accomplish what the public mind disapproved—yet he conferred great benefits on society, and, so far as they extend, they shed rays of glory on the superior virtue which guided the storm in the American revolution and built up our present system of government—a system not faultless, but super-eminently calculated to dispense happiness to millions of freemen for ages, if the people take care that its provisions are faithfully administered.

It is gratitude to our fathers, safety to ourselves and protection to our children—it embraces every tie and obligation that we owe to society and ourselves, that we should always stand on the alert, not only to ascertain what are our rights but to enforce an observance of them. As I have oftentimes remarked, there is a kind of natural war between the governors and the governed—the former to obtain, the latter to retain, power, influence and wealth. Now and then a public character appears who, though thereby separated from the people in form, still remains with them in fact, and without object, except to do what shall promote their welfare; but these men are rare and their number is on the decrease;—the progress of luxury and march of extravagance has nearly overwhelmed

disinterestedness and banished pure patriotism. The body of the people must needs be in the right—they may commit gross errors and sometimes wander from their true interests, yet it is impossible to believe that they can become and remain to be "their own worst enemies." But to be capable of judging rightly, they should read and reflect, examine and conclude, each one for himself—they should divest their public characters of every sort of tinsel work, and view them as mere men, fallible like themselves, and equally addicted to passion, prejudice and party. It is our right and our duty to do this—the first was won with blood, the latter is enjoined by self-preservation. This republic stands as a monument erected to the dignity of human nature, and woe be the man that will suffer it to be delapidated! How great should be our homage to the giver of all good gifts for his bounties bestowed—how reverential our regard for the instruments which He used to build up this now mighty nation, advancing to power with unprecedented rapidity, with unheard of grandeur! May virtue remain and be cherished, to direct that power to render good unto all—and uphold it as "a terror to evil doers and a praise to them that do well"—the support of the weak, suffering in the cause of liberty, the barrier to despotism! Then shall we accomplish the hopes of those who burst the bonds of tyranny, and dared to believe that "all men were created free and equal, and endowed with certain natural and *unalienable* right," such as "life, liberty and the pursuit of happiness."

The great principle that must lead to this consummation of the pleasing anticipations of the fathers of the revolution, is to be found in the application of *responsibility*. No one should be above or below the operation of it; it is the hinge on which whatever is good or beneficial turns. If a dog was to save my life, I ought to feel as grateful to him for it, as if that life was saved by a president of the United States—the benefit is the same. So also, as to injuries—a pill of arsenic, if gilded with gold and administered by the greatest dignitary in the land, is not one whit *better*, though more despicable, than one offered in the real deformity of its nature, by the hands of a vagabond—for the poison is equally malignant and fatal to life. "Man is man, and who is more?"—even WASHINGTON, the soldier, and FRANKLIN, the sage, are dust—and who can tell what is the present essential difference between their remains, and those of such persons as Arnold and Andre? There is none. Let us, then, hold on to responsibility, *even* if it reaches the supreme court of the United States! however fashionable the present doctrine with too many is, to affect almost infallibility for that exalted tribunal. But of what is it composed? Of *men*, my readers—subject to all our imperfections, liable to all our weaknesses. And how shall this responsibility be preserved?—by the *ballot box*: this with us may accomplish what the sword would fail to obtain; and, as Paine said, it is better to go to the place of voting than the field of battle, especially in a civil war. The ballot box, like magic, raises up one thing or dispenses another into empty air. Let us guard it with seriousness—it is the wonderful agent of good, or the genius of wrong, according to our usage of it. The matter of voting is, or at least ought to be, a solemn affair; and I do believe that every thinking man is responsible to his God for its exercise. I wish we all felt that we were so—if we did, the condition of things would soon be materially changed. Men might still differ in opinion as to other men, but principle would be the

rule of our actions, and about that we should not vary essentially, because truth is unchangeable. All of us should go to the polls as we go to church—thankful for benefits conferred and determined to improve them.

With these cursory remarks we shall give the list of the deceased—soldiers and sages in the revolution, as first above mentioned, feeling it a duty, at least, to preserve their names:

Died, recently—at Sivantzey, N. H. Mr. *Thomas Cresson*, aged 98; at Boston, Mr. *Addington Davenport*, aged 71; at Lancaster, Pa. *John Hubley*, esq. aged 74, at Philadelphia, Mr. *Nicholas Hart*, aged 84; at Jefferson, N. Y. col. *Stephen Judd*, aged 64; at Newark, N. J. col. *David Rhea*; at Cranston, R. I. *William Waterman*, esq. at Hanover, Pennsylvania, capt. *Andrew Lee*, aged 80; at Fayetteville, N. C. *James Powers*, esq. a lieutenant under gen. Greene, at Guildford, Eutaw, &c. at Chestertown, Md. Mr. *Peregrine Bantam*, aged 61;—he served in the revolution, under Wayne in the war with the Indians, and took part in the late controversy, in Burlington county, N. J. maj. *Joseph Buell*, aged 66; at Newark, N. J. on the 6th July, gen. *John N. Cumming*, who entered the service as a lieutenant and left it with the rank of lieutenant colonel; at Louisville, Ky. maj. *John Harrison*, aged 67; at Portsmouth, N. H. capt. *Thomas Beck*, aged 73—who served under Paul Jones in his desperately daring expeditions and battles; at Bern, N. Y. maj. *Asa Abbot*; at Hartford, Con. Mr. *Isaac Clough*, aged 79; at Shepherdstown, Va. col. *Joseph Swearingen*, in his 68th year, a captain in the service in 1776, in which he remained to the end of the contest; in Williamson co. Tennessee, col. *Benjamin Sewell*, aged 79, he entered the war a captain and remained in the army until peace, retiring with the rank of colonel; at Baltimore, on the 21st August, gen. *John Swan*, age 72, a much esteemed officer in the revolution and highly respected citizen; at Charleston, capt. *Peter Bucot*, aged 70 years, who entered the army at the commencement of the controversy and served until the end of it, with honor; at Genoa, N. Y. Mr. *Thomas Quigley*, in his 78th year; at Wickford, capt. *Benjamin L. Peckham*, a revolutionary pensioner—he fought in most of the severe battles; at Covington, Ohio, Mr. *Thomas Kennedy*, in his 80th year; at Hogeberg, N. Y. col. *Philip Staats*; at Burlington, Vt. *Jedediah Peck*, esq. in the 74th year of his age; in Westmoreland, Va. gen. *Alexander Parker*, aged 67; in Philadelphia, *Henry Kammerer*, esq. aged 81 years; in the same, colonel *John F. Mercer*, of Maryland, in the 64th year of his age—he took up arms in defence of his country when a youth, was a member of the old congress from Virginia, his native state, after that, on his removal into Maryland, elected a member of the general convention, member of congress, governor of the state, &c. &c.—near Sharpsburg, Md. capt. *Joseph Chapline*, in the 75th year of his age; in St. Mary's co. Md. capt. *Edward Mattingly*, aged 69.

HOUSEHOLD MANUFACTURES. We never reflect upon the progress and prospects of that portion of the national labor which is applied to household manufactures, without feeling our heart warmed with a national pride; for all the virtues—moral, religious and political, are interested in it. Tens of thousands of amiable, respectable and lovely young women, (ladies, if the term pleases better), of those ranks and conditions in life which, a few years since, almost as much despised a distaff as they did a field-hoe, are now engaged to drive away the diseases and distresses of inanity, and keep them

selves in health and cheerfulness, render themselves good wives and estimable mothers, while they add to the comforts and conveniences of their parents, and make a "plentiful house," by a diligent attention to spinning, weaving, bleaching, dying, &c. by which all the real wants of the family, as to articles of clothing, are supplied, with something still left to furnish themselves with more delicate and luxurious articles for their own ornament or use. We have oftentimes spoken of the effect which has already resulted from such applications of the stock of industry, and rejoiced in them—as well because their beneficial nature has a permanent tendency, as on account of their solid additions to the amount of national wealth. The Sybarites, by their industry, became so powerful that they could send 300,000 fighting men into the field—but their wealth sunk them so deep in effeminacy, that they banished from their chief city all the artists whose occupations occasioned rude noises, and even would not suffer a cock to be kept within their walls, lest his crowing might disturb their slumbers or affect their delicate nerves—the result of these things was, that, on a quarrel with the Crotons, a hardy and laborious people, 100,000 of the latter killed or made captives and slaves of 300,000 Sybarite soldiers, in one day, with perfect ease, and at once, as it were, extinguished that people. On the same principle, we might shew how it is that the reigning princes of Europe, boasting on each side a long line of royal ancestors, seem to occupy a middle space between rational men and irrational brutes—about the half of them are almost idiots, and there is not one man of talents among them, blessed as they have been with opportunities to obtain knowledge: a Spartan mother would not have acknowledged the best of them for her son, if possible to avoid it. A desire of independence naturally springs up from an acquisition of power; and men of the most servile minds feel it as the road is opened by which they may arrive at the enviable condition, through a reliance on themselves: women are equally subject to the operation of these common principles, and it is almost impossible that they should not impart a portion of their own honorable feelings to their children, and cause their little hearts to pant with the ground-work of republicanism—a wish to be only self-dependent. Household industry cannot be broken down, even by the "ever-watchful influence of Britain," nor be bribed to prostration by her conspired manufacturers, if once more fully established in the United States; for we have learnt wisdom too dearly through suffering, to be led astray again. It is based on virtue,—cheerfulness is its companion, happiness is its fruit, and independence its result. Women thus reared will not give suck to a breed of slaves; but teach their offspring a knowledge of their own powers, having furnished them strength to maintain their rights. It is true, the progress of such employments are highly detrimental to the revenue of the United States, but all that is accomplished thereby is added to the national wealth and extends the public resources: the extraordinary fact exists, that the welfare of the people is embarrassing to their government—a condition of things unknown to any other people and government under the canopy of heaven—yet, in the opinion of some, affecting to be statesmen, we are the "freest and most enlightened people in the world!"

I have just received a letter from a much respected friend in Virginia, from which I take the liberty to make the following extract, though he will not be a little surprised to see it in print. He says:—I

have long observed in the Register, with delight, your particular wish that domestic fabricks should supercede the European. Let me boast a little and tell you, that my two daughters, during the last summer and fall, besides going two quarters to school, spun one hundred and sixty pounds of wool; not a thread drawn by any one but themselves.—In my father's house, no thread was spun except a little for making shoes—he depended entirely upon European goods. While I also did so, my family was always bare of bed clothes, table linen, &c.; now we have not only a plenty of all these things, but piles of them to spare or in reserve. It would tire you to hear of how many fine twilled blankets, single and double coverlets, &c. we have. The girls are now spinning wool, 24 cuts to the pound, to make a piece of cloth,—but I have boasted enough, and must conclude," &c.

My friend has not boasted too much—his brief history reminds me of that part of Mr. Clay's eloquent speech in favor of domestic industry, where in he referred to the family of the venerable col. Shelby—the hero of King's mountain in the revolution, and who so firmly led the Kentuckians, as his children, to battle, in the late war—see vol. XIX, page 196. His family is clad by the labor of its own hands, "the spinning wheel and the loom were in motion by day-break"—and the matron delighted to shew her friends the stores of goods laid aside for her daughters, on the days of their marriage. Let the painted dolls of our cities sneer at such things as they please—the daughters of ISAAC SHELBY, whether at the spinning wheel or in the drawing room, possess an real dignity that would, of its own force, put to flight a whole squadron of those semi-men called dandies, while gathering to itself the attentions of the good and virtuous; such, I trust, is the condition of the daughters of my friend: and my earnest desire is, that it may be so with those of all good men and women who teach their children to be *useful*. These are not of those who live a rickety life of a few years, and, after giving birth to some two or three sickly children, die off with the consumption by inches—miserable themselves and rendering misery to all around them.

"GERMANICUS." In page 2, of the present volume, we inserted some remarks of the editors of the "National Intelligencer," on certain essays over the signature of "Germanicus," that had appeared in a well-conducted paper, the "Winchester Republican," on which we commented at some length—but our attention was chiefly drawn to the remarks of the "Intelligencer," in the belief, as we then said, that these essays had been used as a "setting pole on the occasion."

This has called forth an article from "Germanicus," in the "Republican" of the 8th inst. in which what we said is generally referred to, and in a gentlemanly manner. But he says, justly, that "error is error in every man," and that he will combat it in every shape and form. This is the duty of all honest men; but, perhaps, if the writer had attended a little more closely to his own composition, he would not have found so many "errors" in mine. I shall briefly notice the chief things that he says.

1. He speaks of my assertion that coarse cottons are now smuggled into England. I expressly said that that was the declaration of the editors of the "National Intelligencer." I said no such thing—but agree to the fact, that they are now made as cheap, if not cheaper, in the United States than they can be made in England. This only goes

to prove what I asserted, that a reduction of the duties on such goods of foreign fabrick would not aid their consumption here, or reduce their price.

2. "Germanicus" makes himself merry with the idea that goods may be purchased without *cash*—he would like to know in what country, that he might buy some on the same terms, &c. I expressly said that the practice of *bartering* had increased, because the people could not sell for cash—and I can tell him that he may purchase goods on the desirable terms he would have them on, at almost any factory in the United States! At these, the people do convert bams into stuff for trowsers, and sides of beef into cloth for coats, however wonderful it may appear to "Germanicus."

3. He speaks of a certain iron-making establishment, in Rockingham county, that sells its iron so much cheaper at Lynchburg, 80 or 90 miles distant from the works, than at the works themselves, that the people of their neighborhood find it profitable to send waggons to Lynchburg to carry back the very iron sent there for sale, by the proprietors of the said works. I cannot understand the *reason* of this, and must let it pass. "Germanicus" calls it an "engine of extortion." If it is so, the iron masters are very great dunces. Until now, every manufacturer was best pleased with a market at his own door if as profitable as a distant one, that he might "manage his own affairs in his own way."

4. He thinks the large manufacturing establishments cannot be supported for the want of consumers, by reason of the product of household industry. If this is so, I am heartily glad of it—for it is *these* that I mainly wish to prosper, as is set forth in a preceding article, and for the reasons therein stated. But the taxes on such other manufactured goods, &c. imported into the United States, since the adoption of the present constitution, say 4th March, 1789, have amounted to about 350 millions of dollars, which shews us that the whole sum paid to foreigners for their goods used in the United States, cannot have been less than *eighteen hundred millions of dollars*, in the time stated, averaging the taxes at the rate of 20 per cent. *ad val.* This is a pretty comfortable sum; and even yet we pay not less than *fifty millions a year* for such things. *When* we get rid of this, we shall think it time to enquire whether large manufactories can be supported in the United States.

5. He adds the following P. S. "Ask Mr. Niles one more question. Let him look at the amount of capital employed in manufactures—the profits required to support them—the amount of the circulating medium of the country, (which ought rather to be called a local currency)—and then answer me fairly, if he thinks manufactures can succeed in the present state of affairs? The United States, with their restrictive system, remind me of small children, who, when they find their parents opposing any of their whims, go to school without eating breakfast. Who suffers?"

The amount of this is—do I think that manufactures "can succeed in the present state of affairs?" I answer, yes, with all my heart and soul; and will gratuitously give the opinion also, that, if they do not succeed, the people of the United States must become as "hewers of wood and drawers of water" to those of Europe. It is *essential* to the farmers and planters, even the planters of tobacco, that something should occur, not only to cause a home-market for their products, but to bring about a diversion of labor to favor their pursuits. The *rot* in cotton, though a partial evil, has already been regarded as a general good, in the cotton-growing

states, by keeping down the *excess*, and thereby reducing the value of the *whole quantity* raised, in a much greater amount than the entire value of such excess. Every body will understand the assertion, that *extra crops* without an *extra market*, are injurious in point of profit to those interested in producing the commodity. As much labor is spent in raising a bushel of wheat when it will fetch only 50 cents, as when it is worth 200. Labor is the best and surest test of value. Indeed, there is no other standard to be relied on; every thing else is contingent and precarious. The operation is easily ascertained—thus: the home demand and foreign market requires bread stuffs to the amount of 8,000,000 bbls of flour a year—the crop is only equal to that amount, and flour brings 10 dollars per barrel; but if the crop is equal to 10,000,000 barrels, it will fall to 5 or 6 dollars, one fourth of the whole being a drug or excess, without a regular demand for it. The difference is—

8 millions at \$10, ...	80,000,000
10 millions at 6, "	60,000,000

In favor of the short crop, \$20,000,000
Or at the rate of 25 per cent. profit on the whole value produced.

I do not perceive what "Germanicus" means by his "restrictive system." I had thought that we were more laxative than any other people. I do not want a "restrictive system," and only wish for *reciprocity*, as will surely appear to this writer, if he reads my remarks.

RELIEF LAWS, &c. We publish a highly interesting opinion of the supreme court of Tennessee, on what is commonly called the "endorsement law" of that state, in which it is maintained that that law is unconstitutional—as we have no doubt that it is, together with all its kindred acts in other states which have a tendency to violate the obligation of contracts. But to relieve honest creditors from the ravages of dishonest debtors, we ought to have a general bankrupt law, which would at once do away the state insolvent laws, &c. which, in nine cases out of ten, afford relief only to the most worthless and abandoned in society—who live profusely, venture fearlessly, and traffic without care, calculating on such relief, when it shall best suit their convenience to violate every rule of honor and honesty, become bankrupt and retire in wealth! We shall take up this subject at length in a week or two.

We again respectfully intimate to our readers, that the law cases inserted in this work are interesting not to lawyers only, but to all others who desire to understand the rights of persons and things.

MARYLAND. Among the many queer things provided for by the constitution, as it is called, of this state, is the election of electors to elect a senate for five years—which body, when once elected, elects others to fill up its own vacancies, and, at a certain time, was self-created with the exception of one member! The election of electors to elect took place last week—the electoral college contains forty members, two for each of the 19 counties, and 1 each from the cities of Baltimore and Annapolis; of these, 28 are of the party called republican, and 12 of that denominated federal—for these terms are yet in ample use in Maryland)—republican majority 16. So the senate to be chosen will be republican, which, it is supposed, will settle the political character of the state for the ensuing five

years: "a consummation devoutly to be wished"—for, through the contentions of party, the great interests of Maryland have been miserably attended to. We possess many most important natural advantages, which have been suffered to remain unheeded,—education has been neglected; vile banking has (I had like to have said) been encouraged—which, with the heat and persecution, depravity and dissipation of electioneering, on both sides, have driven from many of our counties a large part of the stock of free labor which they possessed, to seek repose in the west. If from the aggregate population of Maryland in 1820, the increase in Baltimore, and Frederick and Washington counties, is deducted, it will appear that the whole number has decreased about 4,000 since 1810. This state now has a *twentieth* part of the power of legislation in the house of representatives of the United States—when the late census operates on the apportionments in that body, it will have only a *twenty-sixth* part—retrograding at the rate of about 30 per cent. in ten years, which is not a very comfortable thing to think of, for it ought not to have happened. Persons out of the state can hardly form an idea of the demoralization caused by electioneering in some of the small and nearly balanced counties. I believe it may safely be said, that many thousand well-disposed and industrious men have been reduced into vagabonds and paupers by it. It is a sorry fact, that a great number of poor persons have been furnished with the means to lead a life of complete dissipation for a month or more before an election, during which the constitutions of some have been destroyed, while others contracted vile habits which they never after had the power to shake off. It is no matter with whom these wicked and pernicious practices originated, but both parties have been guilty of them—and the sober-minded citizen, let his political sentiments be what they may, must rejoice in the result above stated, as holding out a hope that they will now be abandoned; and that attention will be paid to improve the condition of the people of the state, instead of rendering it more and more wretched. New-York, (though her citizens are not the best educated of any in the union), with her million and an half of free whites, I venture nothing in asserting, does not contain half so many persons (excluding foreigners), who cannot read and write, as there are in Maryland,—though our aggregate of whites is only 260,000; and it is also a fact, that ignorance has had a rapid increase among us—the last generation was, certainly, much better informed than the present. But miserably every where is the state of the poor white laboring classes, when surrounded by numerous slaves. Excluded from the company of the haughty rich—the lordlings of the land, they insensibly slide into and partake of some portion of the degeneracy of the blacks, and many of them are almost as rude and uncultivated as the slaves themselves. Such are among the fruits of our form of government—such are some of the blessings of a slave population! Our political institutions are bottomed on the British plan, without regard to numbers or wealth, or any thing else, save county lines and boundaries; hence corruptions by the rich and consequent depravity in the poor. To raise up the latter,—the stay and sinew of the state, should be the consideration of every one, whether influenced by moral or political views. The strength and the riches of a state must depend on its quantity of free labor—its *safety* also rests upon the encouragement and protection of this class of people; and

it is the summit of folly to hope for any good thing unless we have a virtuous populace. If we have not done all that we could to destroy this, we certainly have not done any thing to establish it; the power of the government has unfortunately been in the hands of persons who had too little acquaintance with, and too little of feeling for, the laboring whites, artists, mechanics and farmers—and the prevalence of slavery has, unfortunately, and to a considerable extent, kept up that family pride and supposed superiority of blood, for which many of our first settlers were so egregiously distinguished. This nonsense has been rooted out in all parts of the state wherein free labor has prospered; for in these, property is the consequence of industry, and wealth will have influence even on the minds of persons as illustrious as Lewis Capet or George Guelph.

BANK OF MISSOURI. We have the particulars of the blow up of this institution. It might always have been expected, if the secrets of the banking house had been known. The whole capital said to be "paid in" was \$210,000—of which the present directors had paid 108,795 by stock notes; they were further indebted to the bank for accommodations in the amount of 79,569, secured by mortgage, in the further sum of 60,075 on personal security, and also liable for the the sum of 37,310 dollars as endorsers!—This is pretty nearly "number one"—we have not heard of any thing lately except the explosion of the City Bank of Baltimore, that could stand along side of it.

The capital of the bank was	dolls. 210,000 00
The directors owed on stock notes	108,795
ditto on mortgages	79,569
ditto on personal security	60,075
ditto as endorsers	37,310 285,869 00
Excess over capital!	dolls. 75,869 00

I do not know of how many persons the board consists, but it is probable that six or eight men, having made the bank, borrowed all that they themselves and all others had put into it, with an additional sum on the credit of the institution, so that the whole amounted to the capital and one third of the capital, managed for their own use and benefit!

The notes in circulation amount to 84,301 dollars, (of which, I, unluckily, hold one or two) and the United States deposits amounted to 152,407!—There is a talk about an ultimate payment of the debts of the bank, and the president, in an address to the public, says any one, on application, will "be satisfied of its complete solvency." Its operations are "suspended" with a view to the adjustment of its accounts and surrender of its charter. We shall learn wisdom by and bye—but it really appears if nothing but the severest scourging will teach it, and we have already had nearly enough of that! The abominable rag-barons have so long beaten honest people, that if the latter are possessed of the spirit of a worm they should turn upon them. But it does seem, (without reference to things at St. Louis, for we have not any particulars as to individuals) that if a man will only make himself a rogue of sufficient magnitude, he may get along with a reasonable share of respectability! A considerable number of the best houses in Baltimore, and its vicinity, is possessed by persons that passed through our patent insolvent mill a few weeks or months ago—their victims are in jail or banished from their humble homes by the sheriff; an officer that does not often trouble gentlemen: it is chiefly with the honest, the sober and productive classes

of society that he has any thing to do, except in wondrous courtesy and polite accommodation.

A gentleman of St. Louis, on forwarding to the editor the statement of the affairs of the bank of Missouri, observes, "Enclosed is an attested copy of the last will and testament of the bank of Missouri, by which there is bequeathed to 'Uncle Sam' a legacy of 152,407 dollars—which, it is understood, will be paid by the executors to the said 'Uncle Sam,' after deducting their fees, whenever he shall produce satisfactory evidence that he has arrived at years of discretion."

UNITED STATES STOCKS, &c. People say that "money is scarce"—we say that it is "plenty," and that the apparent scarcity is caused only by the want of employment for it. Let any project be started which will insure an interest of seven or eight per cent. (and that was thought to be quite a moderate profit six or seven years ago), and millions of dollars are ready to meet and support it. The five per cent. loans, we see, command a handsome premium—the six per cents. (war loans) are at from 107½ to 112, according to the time fixed for their redemption, and Spanish dollars are at par in all our chief cities, except at Boston, where they command a small premium of ¼ or ½ per cent.

LONDON QUARTERLY REVIEW. The following very moderate and modest article is extracted from the number for June: it does not require comment.

"The good-will which we bear towards America is felt, and must ever continue to be felt by England, unless the feelings of nature are stifled and destroyed. In the case of nations the relation of parent and child may be called metaphorical only; yet there is a spice of nature in the sensation, which makes it more than nominal or figurative. We believe the disposition of England is strongly inclined to bury in oblivion all that has happened to disturb the harmony which ought to subsist between America and herself; and to cultivate and improve those kindly feelings, which would redound equally to the credit and advantage of both countries. It was surely not too much to suppose, that a reciprocal feeling would naturally be entertained by the descendant state: but whatever be the cause,—whether she was weaned too soon; whether from her early connexion with France, when 'the weaned child put its hand on the cockatrice's den,' or from the natural frowardness belonging to her relationship,—so it is, that America has constantly evinced in her conduct towards England, a spiteful and insulting spirit. What is done here is not looked to as a model of imitation and example, in the generous spirit of emulation;—but there is an ill-natured disposition animating all her efforts to equal us, which seems to seek success less for the sake of the object, than for the gratification to be derived from the boast of surpassing England. It is in this temper that the Americans are forever obtruding upon us the pretended excellence of their constitution. 'The spirit of liberty, which is the soul and substance of it, they derived from us; the form, which is of less importance, is their own.'"

The following is from a previous number of the same work, and is equally modest—the writer is speaking of the subjugation of France.

"We ourselves, as a nation, stand on an eminence as commanding as that which the sons of Athens and of Lacedaemon occupied, and in our valor, our freedom, our philosophy and poetic genius, we bear no remote resemblance to that extraordinary people. Like them we have stemmed the tide of barbaric warfare, and burst asunder the chains that

would have confined our minds as well as bodies in hopeless subjection. We have met, like them, the Xerxes of the day, with our small band of brothers, and defied, with the arms and hearts of freemen, the myriads of slaves which he led against us. We are hailed with the gratitude of the civilized world for the accomplishment of an enterprize, similar to that for which Greece is immortalized—the vindication of liberty, and the preservation of social order.” [What would they have said if Bulow had not come up at Waterloo to relieve defeated Wellington—if corruption had not intercepted the orders and deranged the plans of Napoleon?]

TO WOOL GROWERS. *From the Steubenville Herald.*
Some good people appear to be fearful, that if farmers, generally, get into the raising of sheep, the country will be overstocked with wool, and that it will be as dull sale as grain is at present. Such persons will be relieved of their fears, when we inform them, that the *Steubenville woolen manufactory* has not been able to procure more than *forty thousand pounds of wool* in the state of Ohio, whilst it could work up *one hundred thousand pounds annually*. It will be recollected that this is but *one* manufactory. The period is not far distant, when there will be a dozen such west of the mountains.

JUDGE WASHINGTON. We are requested to state in behalf of judge Washington, that the slaves on his plantation, of which he has a great number, had become, from long indulgence, discontented and riotous; and there were serious causes of apprehension that this conspiracy would lead to alarming results, if it was not checked in the outset; that he selected the most riotous of all his slaves, and sold them in a body, to one man, the friend of judge Washington, as the mildest punishment that could be inflicted; that they were disposed of with their wives and families, in the hope that this separation would be better for all parties concerned. So far, we have received information, and no further.

Balt. Morn. Chron.

DOMESTIC MANUFACTURES. We have the following pleasant account of the present condition of our manufactories in a late Providence, (R. I.) American. “In the present depressed state of commerce, it is gratifying to learn that our manufacturing establishments in various sections of the union, are gradually regaining their prosperous condition. This remark is particularly applicable to the manufacture of cotton, which now yields a moderate profit to those who conduct the business with the requisite skill and economy. The extensive factories in Pawtucket are all in full operation, and the village again presents the aspect of a crowded and thriving population. The demands for cotton fabrics are constantly multiplying, and it is no equivocal test of the skill and enterprize of our manufactures, that the product of Rhode Island looms obtain a decided preference in the most distant parts of the union. They are purchased to clothe the slaves on the plantations of Louisiana, and even our Canadian neighbors, with all their British predilections, are not unwilling to habit themselves in our cheap and substantial fabrics. In Philadelphia it is said that about *four thousand looms* have been put in operation within the last six months, which are chiefly engaged in weaving cotton goods, and that in all probability they will, within six months more, be increased to four times that number.

In Patterson, (N. J.) where two years since only *three out of sixteen* of its extensive factories were in operation, a signal and most gratifying change has been observed. Nearly all these establishments are now in vigorous employment, and the town has resumed that appearance of prosperous industry which it exhibited during the temporary success of manufacturing enterprise.”

Endorsement Law of Tennessee.

Opinion of judges Haywood and Emmerson, of the supreme court of Tennessee, on the “endorsement law” of that state—delivered at Knoxville, May term, 1821.

Townsend, vs. Townsend, and others.

In this case, the clerk having refused to issue execution, without the endorsement required by act of assembly, that current bank notes will be received in discharge of debt and cost, the complainant, by his attorney, moved the court to direct the clerk to issue the same without any endorsement.

Judge Haywood delivered the following opinion, in which judge Emmerson concurred so far as respects the unconstitutionality of the law. But, as to whether injunctions ought to be granted to stay execution on a contract for paper money where the creditor exacts silver, judge Emmerson gave no opinion.

“The act of 1819, Ch. 19, directs that upon any judgment, thereafter to be obtained, execution shall not issue until two years after the rendition of such judgment, unless the plaintiff shall endorse upon the execution, that the sheriff or other officer shall and may receive, in satisfaction of said execution, notes on the state bank of Tennessee and its branches, and the Nashville bank and branches, or any of them, and such other notes as pass at par with them, &c.

The same, or a similar provision, is made by a law of 1820, for forming a new bank, and for loaning out the monies that it may issue. These acts of the legislature are urged to be unconstitutional and void. And various clauses of the state constitution and of the constitution of the United States, are said to be in direct repugnance to these acts; and if so, it is well to admit in the outset, that the acts, like every other act, whose basis is authority, are void, if the authority be not given. We will take up these several clauses one after another and examine each in its turn to discover whether the acts in question are really unconstitutional as they are alleged to be.

First, then, let us take into consideration Art. 1. Sec. 10, of the constitution of the United States: “No state shall, &c. emit bills of credit, or make any thing but gold and silver coin a tender in payment of debts, pass any, &c. ex post facto law or law impairing the obligation of contracts, &c. The two first sentences respect tender laws and paper money; the construction to be put on them should repress and prevent the evils they were intended to obviate; and what these are, must be understood by the actual evils which paper money and tender laws produced in the time of the colonial governments; in the time of the war of the revolution, and after that war, before the adoption of the constitution of the United States; and also by the effects which these clauses produced, after the adoption of the constitution; and then, by considering what will be the effect of the act of assembly, now under contemplation, should the same be deemed valid, we shall be able to discover whether these effects are

the ones intended to be prevented by the clauses of the constitution in question.

What, then, is the history of paper money and tender laws under the colonial governments. North Carolina issued paper money, in 1713, 8,000*l.* and the money depreciated. The lords proprietors would not receive it for quit rents, though issued to defray the expenses of the Tuscarora war. It could not be remitted to England, they said; at the same time peltry was received by them. The next North Carolina emission was in 1722, 1,200*l.* the next, in 1729, 40,000*l.* the next in 1734, 1,000*l.* treasury notes in 1756, 1757, 1758 and 1759. one emission in 1760 of 12,000*l.* one in 1761, of 20,000*l.* one in 1771, of 60,000*l.* to defray the expenses of suppressing the regulators. At this time, there was already afloat 75,000*l.* In 1729, the money depreciated and could never be raised to its original value. In 1730, the depreciation was three and a half for one; in 1735, it was five for one; in 1739, it was seven and a half for one; in 1740, it was received in payment for taxes, at the rate of seven and a half for one, and thus the government redeemed and got clear of it. The treasury notes depreciated. There is no instance of paper money which did not depreciate, let the plan for sustaining its credit be of whatever description it might. Paper money, in the time of the colonial governments, was issued in most of the provinces, and in some of them depreciated more than it did in North Carolina.

The attempt was made in Massachusetts to issue bank bills, loaning them out on interest and on real and personal security, to be redeemed gradually, by the payment from the borrowers of one twelfth, making the bills a tender and the refusal of them, to incur the loss of the debt. These provisions did not delay the depreciation for one instant. The rate of exchange in the first year was 150 and in the second 200 per cent. In 1729, Massachusetts, Rhode Island and Connecticut had issued paper money. It depreciated. There was an immense quantity afloat; but the people still clamored for more. Massachusetts and New Hampshire were restrained from further emissions by royal instructions to the governors. Rhode Island could not be restrained, because she chose her own governor; and she issued 100,000*l.* It instantly depreciated from 19 to 27 shillings per ounce silver, the former being the settled value, before the emission. In 1741, in Massachusetts, the paper money being about to be redeemed by gold and silver, remitted from England to reimburse the colonies for the exertions made in the late war above her quota, an apprehension of the scarcity of money and consequent distress of individuals, excited a great uneasiness in the colony; a bank was forthwith proposed to supply the place of the paper money, thus to be redeemed. Every borrower was to mortgage a real estate in proportion to the sums he should take from the bank, or at his option, give personal security when the sum should exceed 100*l.* to pay annually three per cent. on the sum borrowed, and four per cent. of the principal. To prevent the general confusion which was anticipated from this institution, the parliament interfered and suppressed the company. The Massachusetts currency was redeemed at the rate of 50 shillings per ounce of silver, instead of nineteen shillings per ounce, the rate at which it was issued. At this time, the popular leaders were using their best endeavors to make further emissions. In 1722, Pennsylvania issued paper money accompanied with penalties, enacted against those, who made any difference in

the price of their goods, when sold for paper and when sold for gold and silver. Notwithstanding this regulation, 130*l.* of the paper was only equal in the course of exchange with Great Britain, to 100*l.* sterling, and in some of the colonies 100*l.* sterling was equal in value to 1100*l.* currency. Such was the state of the currency before the revolution. During the revolutionary war, emissions were made from time to time. Depreciation began in March, 1777, at one and a quarter for one, and progressed to January, 1782, when it was 800 for one; and as if ashamed of their own loss of credit, the notes silently withdrew from circulation.

After the war of the revolution was ended, in 1783, the assembly emitted in North Carolina 100,000*l.* and in 1785, they made another emission to the same amount. The uniform fate of these emissions was depreciation. The emission of 1783, in North Carolina, depreciated from eight to ten shillings, and then twelve shillings, per dollar. The new emission of 1785, still further depreciated to fourteen, fifteen and sixteen shillings per dollar, instead of continuing at eight shillings per dollar; but returned and settled at ten, on the adoption of the constitution of the United States in 1789, and so it has ever since remained. In the debates in the convention of North Carolina upon the paper money and tender laws, it was stated, that paper in Rhode Island had depreciated eight for one, and one hundred per cent. or sixteen shillings per dollar in North Carolina. It was also stated that Pennsylvania had issued paper money, but had not made it a tender; that in South Carolina their bills were a tender, as was also the paper money in Rhode Island, New York, New Jersey and North Carolina. It was further stated, that in South Carolina, laws had been passed to pay debts with land, and from calling them pine barrens, it is implied with such land as the debtor might choose to offer. And further, it was stated, that they had ordered debts to be paid by instalments.

One cause of depreciation is, that the paper could not be remitted to foreign countries. No matter how small the emission may be, it is not equal to gold and silver. He who exchanges it for gold and silver must give a greater quantity of paper. The expense of searching for and finding the silver, of procuring the exchange and of getting it to the place of exportation, together with the risk of conveyance; and the greater danger of having the paper money counterfeited, are all considered and involved in fixing the difference of value, and contribute to the increase of depreciation. If the paper money cannot be redeemed 'till some years hence, that becomes another cause of depreciation. It may be alleviated by an accrual of interest for the delay, but it will nevertheless depreciate from this cause in conjunction with others. 100*l.* in gold and silver is, better than 100*l.* bearing interest payable at the end of ten years, although it will then be certainly paid; because, a present and pressing demand, which cannot be extinguished but by gold and silver, makes it eligible sometimes to give a greater premium than the interest, rather than abide the consequence of non-payment. And it will take the notes and a premium besides, to procure the 100*l.* which perhaps a merchant wants to pay a foreign creditor who has called for payment.

Another cause of depreciation is the power in the legislature to repeat emissions at pleasure.—For hence arises the just apprehension, that repeated emissions will be resorted to. Experience proves, that paper money will be issued whenever

the cry can be raised of general and public distress, and can cause an application to be made for relief.

With respect to the disorders produced by paper money and tender laws, both theory and experience present them to view; who will be so imprudent as to give credit to the citizens of a state, that makes paper money a tender, and where he can be told to take for a gold and silver debt, depreciated paper, depreciating still more, in the moment it is paid? Who would trust the value of his property, to the citizens of another state or of his own state, who can be protected by law against the just demands of creditors, by forcing them to receive depreciated paper? or to be delayed of payment from year to year until the legislature will no longer interfere. Had he not better go to other markets beyond the limits of the state, to dispose of his surplus productions? Or had he not better refrain from making any such surplus productions rather than be compelled to receive from the purchasers of them, less than one half the value agreed to be paid for them? Had he not better remove to another country, where good faith is preserved, with all his property, and there accumulate the rewards of his industry, rather than be continually deprived of a great part of them here, to suit the convenience of the purchaser? Would it not be better for a foreign state, whose citizens are thus injured, to use violence and make reprisals, rather than suffer such injustice?

If such are the evils which theory would lead us to anticipate, they are not less formidable under the test of experience. Depreciated paper prevented equal contributions from the states to the general expenses of the nation. New York for instance, had emitted bills of credit. In them her quota was payable, and by depreciation, of inferior value to the quota of other states, where money was not depreciated, though the quotas of the latter were of much smaller denomination. Impressions had been made on the public morals by depreciated paper. Purchasers on credit had derived great gains from depreciation, extensive purchases had been made, and at length the hopes of the purchasers were disappointed, and great numbers of the people were found to owe debts, which they were unable to pay; a general discontent ensued with the course of trade, petitions were made for relief; embarrassments daily became more extensive, and two parties were formed. One struggling for the observance of public and private engagements, and for the relief of individual distress; they urged recourse to frugality and industry, and that the idle should not be protected by the legislature, from the consequence of their indiscretion, and should be restrained from involving themselves in difficulties, by the conviction that a rigid compliance with contracts, would be enforced. This party was for enlarging the powers of congress to effectuate these ends.

The other party pressed for indulgence to debtors, and for less rigor in the exact execution of contracts; for relaxing the administration of justice; for affording facilities for the payment of debts; for suspending the collection of them, and was opposed to any concession of power to congress, which might prove hostile to these views. Wherever this party prevailed, paper money was emitted, the delay of legal proceedings was tolerated, suspensions of collecting took place. Where this party had not yet prevailed, the dread of getting the superiority, greatly affected the fortunes of a very considerable portion of the community. This

uncertainty aided in promoting pecuniary embarrassments, which, at the time, influenced almost all the legislatures of the union. Public and private confidence was lost; the public debts due to individuals every where depreciated. In private transactions an astonishing degree of distrust prevailed. The bonds of solvent men could not be negotiated, but at a discount of thirty, forty or fifty per cent. Real property was scarcely vendible. Sales of any article for ready money, could not be made but at a ruinous loss. The debtor class of society, might prove successful at elections, and instead of paying by the fruits of industry and economy, might be relieved by legislative interference. National wealth and national labor dwindled. Every where it was found that the people could not pay their debts. In some instances threats were used of suspending the administration of justice by private violence: 5th vol. of the Life of Washington, p. 85—89.

Amongst the various measures proposed, for the removal of this gloomy state of things, a general convention to revise the circumstances of the union was one, and it succeeded. In Massachusetts a short time before, the utmost distraction reigned. The mob required an abatement of the compensation promised to the officers of the army, a cessation of taxes and of the administration of justice; they required the circulation of depreciated paper, and a relief from public and private burthens. They threatened lawyers and courts, arrested the course of law and restrained the judges from doing their duty.

Rhode Island, a paper monied state, would not send deputies to the convention, and North Carolina long hesitated in acceding to the federal constitution. Such were the unpromising circumstances which America had to deplore; and such the alarming disorders, which were to be remedied by the convention. One of the most powerful remedies was, the 10th clause of the first article, and particularly the two sentences which we are now considering. They operated most efficaciously. The new course of thinking, which had been inspired by the adoption of a constitution, that was understood to prohibit all laws for the emission of paper money; and for the making any thing a tender but gold and silver, restored the confidence which was so essential to the internal prosperity of nations.

There was a great and visible improvement in the circumstances of the people. Conviction was impressed upon debtors that personal exertion alone could save them from embarrassment. An increased degree of industry and economy was the natural consequence of such an opinion. These clauses as they were not only necessary, for the regulation of intercourse between state and state, and the citizens of each, to prevent the misunderstandings which were likely to arise from the prohibited causes, are equally so for regulating the intercourse of citizens of the same state with each other, were therefore considered as a fundamental law of the Union, and also a part of the constitution of each state. What was it to the state of Vermont, if Georgia should pass an *ex post facto* law or bill of attainder, which could operate only upon those within her own territory! The restriction was imposed upon Georgia, not for the sake of the people of Vermont, but for the benefit of Georgia, and for fear of the tyranny which her own legislature, at some future time, might be tempted to exercise. A law, impairing the obligation of contracts, as it was equally injurious to citizens of

the same state, as to foreigners and citizens of other states, is equally prohibited as to all, and is not restrictive of state legislation only so far as regards citizens of other states. The constitutions of the several states had left the power unlimited in their state legislatures. The framers of the Federal constitution believed it to be of indispensable importance not to leave this power any longer in the hands of the state legislatures. Experience had demonstrated the baneful effects of its exercise. The known disposition of man excluded the hope, that it would not be used for the same pernicious purposes in future. Under the smart of this experience, such were the feelings of the American people at the time, still suffering under repeated emissions of depreciated paper, that not a dissenting voice was raised against the clause before us. No state required it to be expunged, nor did any state propose an amendment. It was universally received without an exception, and the effects of the clauses themselves were miraculous. Public and private confidence took deep root. The people of America were reinstated in the admiration of the world. The precious metals flowed in upon them. Paper money suddenly stopt in its career of depreciation, and took a stand from which it never departed; industry revived universally; and to us in America was given a notable proof, that whenever a nation is virtuous and honest, it will prosper both in wealth and character; and that whenever a contrary course is pursued, such is the wise decree of Providence, that prosperity of either kind, will not long follow in their train.

Do these acts of our legislature revive any of the recited mischiefs? If they are valid, what is there to distinguish our present situation from that which preceded the Federal constitution? Can our legislature emit paper money and give credit to it by promising redemption by taxes and public property. Will not such money depreciate? Cannot the legislature to every real purpose, make it a tender? And will not all the consequences ensue, which followed the like causes heretofore, payment of debts with depreciated paper, the dismissal of self-condemnation for unfaithfulness in contracts, a dereliction of industrious efforts, facility in the assumption of debts, a thirst for more paper, public inquietude under the ravages of speculation, indifference, if not dislike to the government, loss of public and private credit, the transportation of our commodities to countries where the money is not degraded, the removal of our capital thither, the cessation of active labor, the decrease of national wealth, poverty, embarrassment, open resistance to the laws and a general cry, as from a sinking ship, of save us! save us!

Part of the loss by depreciation falls upon every man through whose hands the money passes, and to avoid the loss as much as possible, every holder makes haste to get rid of it and makes some sacrifice to do so. Those to whom debts are due become debtors to an equal amount, to the end that what is lost, by the depreciation for debts due to them, may be saved by depreciation of debts due from them. Many who are not debtors, immediately become such by the purchase of property to as great an amount as possible, that they may gain as much in value as the sum to be paid to them, loses in value by depreciation. Debts instead of being extinguished are multiplied, and the way is prepared for farther emissions. Those who become creditors, knowing the risks they run, will have such advanced prices as will be a probable indemnification against them. A small number of cre-

dits amount to immense sums, and the thirst for paper money, increasing with the means taken to allay it, new debtors clamor for more paper. Wanting means, and laboring under the disadvantages inseparably incident to the paper money system, no state, however blessed by nature, can attain prosperity. Embarrassments incessantly multiply; and for discharging debts, without paying them, the country must be visited with misfortunes which no country can bear.

The injuries inflicted upon sister states will not be endured. The creditors there, when the attempt is made to pay gold and silver debts with depreciated paper, will seek redress; should the constitution and laws of the union be found inadequate to afford it, the legislature of their own state will look to its strength and to the dissolution of a compact, which, instead of procuring justice to the citizens, excludes them from it. Should the disappointed creditor be a foreigner, after remonstrance to the head of the union, and the development of its incompetency, he will appeal to his own government and force will be resorted to. The whole union becomes exposed for the injustice of one state, and will be disposed to leave it to suffer for its own misconduct, rather than be responsible themselves for that which they cannot prevent. In either alternative, disunion is the end. On the contrary, if the constitution and laws of the union make void such act of the legislature, and we deem them valid, the debtor in this state will be bound to pay gold and silver to his creditor who lives out of the state; when, at the same time, his debtor within the state, who owes an equal amount, will pay in depreciated paper, perhaps of not half the value; and thus, one debtor residing within the state, will be ruined by the legalised unfaithfulness of another. And in our state courts, the same words in the same clause mean one thing; but in the Federal court, another. When part of the citizens are thus sacrificed to suit the convenience of another part, and when such sacrifices become habitual by the frequent exercise of a power, which never lies dormant, after the acknowledgment of its existence, it will not be long before the persecuted portion will seek exemption from the wrongs it endures. Such are the tendencies which the convention meant to eradicate. Acts generative of such tendencies are adverse to the spirit of this clause, and there is a repugnance between them and the constitution.

We come now to a more minute examination of the acts in question. The creditor is denied execution for two years, unless he agrees to take paper. What the debtor cannot tender, the creditor is not bound to receive. Whatever he is not bound to receive, he cannot be punished for refusing. The accessory is prohibited as well as the principal. Here the tender is not directly sanctioned. It is only said to the creditor, if you will not take paper, give up the means of getting any thing at all for two years; with the prospect of still longer delay by repeated acts of the legislature. Take this paper, which I have no right to impose upon you, or give up a right which I have no authority to take from you. Suspension of execution is a penalty if, but for the act, the creditor would be entitled to it as a right attached to his antecedent contract; and it is a penalty prohibited by the 10th section now under consideration. If the legislature has power at this day to enact a suspension of execution for refusing to take paper, that section is abrogated. Two years may be extended to a hundred, and where is the difference between a direct injunction to take pa-

per and the injunction to wait one hundred years, if he will not take it? Grant, for argument sake, that the right to execution is not an antecedent right, attached to the contract, but a newly created one, given by the legislature only upon condition; shall it be permitted so to frame the condition, as to make it involve the relinquishment of a right secured by the constitution? By the latter, the creditor is secured against paper money. Can he be required to relinquish that security in order that he may become entitled to the benefit of this new created right, to have execution? By such inventions every constitutional right may, in succession, be bartered away. Constitutional rights are vested, unexchangeable and unalienable. They belong to posterity as well as to the present generation. We may use and enjoy, but not transfer them; and every such condition is utterly void. If execution can be suspended on any condition, then the legislature has an absolute power to suspend it forever. How easy is it to invent a thousand conditions, with which no man in his senses would comply? If the right is newly created and the condition void, it must vest without the performance of the condition; and the result is, that, if the right be antecedent, suspension is an unconstitutional penalty; if it be newly created, the condition is unconstitutional and the right vests absolutely. In either alternative, the endorsement need not be made.

This conclusion follows upon a correct interpretation of the clause prohibiting tender laws. It equally follows a just interpretation of the sentence prohibiting laws to impair the obligation of contracts, contained in art. 1st, sec. 10, of the constitution of the United States; and in art. 11, sec. 20, of our bill of rights. A grant made by the state, being an executed contract, cannot be revoked by the legislature if pursuant to a law made by themselves; this point is so decided in *Fletcher vs. Peck*. With respect to executory contracts, it will be admitted, without controversy, that the terms and conditions of them, cannot be, in any respect, altered or interfered with by the legislature.

The time, place, person, or thing to be done, cannot be changed by act of assembly. Covenants sometimes, by *ex post facto* circumstances, become unreasonably burdensome. He that covenants to pay rents for premises he never enjoys, by the accidental burning of them, must, nevertheless, pay the rent. A man agrees to perform a voyage by sea under a penalty, by way of stated damages for non-compliance, and he is hindered from an exact compliance by adverse winds; still he must pay the penalty. In these and all other cases of contract, the legislature cannot interfere to make them more just or reasonable than the parties have made them. For thus no contract could be made, that the parties might depend on, for fear of the new modelling interposition of the legislature. Thus far is plain; but still the question remains, is the suspension of execution within the prohibition? Does an act to suspend execution impair the obligation of contracts made before it? What the obligation of a contract is, may be discerned by considering what it is that makes the obligation. The contract alone has not any legal obligation, and why? Because there is no law to enforce it. The contract is made by the parties, and, if sanctioned by law, it promises to enforce performance, should the party decline performance himself. The law is the source of the obligation, and the extent of the obligation is defined by the law in use, at the time the contract is made. If this law direct a specific execution, and a subsequent act declare

that there shall not be a specific execution, the obligation of the contract is lessened and impaired. If the law in being at the date of the contract give an equivalent in money, and a subsequent law say the equivalent should not be in money, such act would impair the obligation of the contract. If the law in being at the date of the contract give immediate execution, on the rendition of the judgment, a subsequent act, declaring that the execution should not issue for two years, would lessen or impair the contract equally as much in principle, as if it suspended execution forever; in which latter case, the legal obligation of the contract would be wholly extinguished. The legislature may alter remedies; but they must not, so far as regards antecedent contracts, be rendered less efficacious or more dilatory than those ordained by the law in being, when the contract was made, if such alteration be the direct and special object of the legislature, apparent in an act made for the purpose. Though, possibly, if such alteration were the consequence of a general law, and merely incidental to it, which law had not the alteration for its object, it might not be subject to the imputation of constitutional repugnance. The legislature may regulate contracts of all sorts, but the regulation must be before, and not after, the time when the contracts are made.

Our state constitution, art. 11, sec. 7, ordains, "That all courts shall be open, and every man for an injury done him in his lands, goods, person, or reputation, shall have remedy by course of law, and right and justice administered without sale, denial or delay." This clause relates to every possible injury which a man may sustain, and which affects him in respect to his real or personal property, or in respect to his person or reputation, and includes the right, which is vested in him, to demand the execution of a contract; which, being a personal right to a chattel, is when performance is denied or withheld, an injury to him in his goods or chattels. And with respect to it, right and justice is to be done, without sale, denial or delay. In magna charta, this restriction is upon royal power; in our country it is upon legislative, and all other power. We must understand the meaning to be, that, notwithstanding any act of the legislature to the contrary, every man shall have "right and justice" in all cases "without sale, denial or delay."

In 1796, when the constitution was formed, it could not have been apprehended that any other department of government, except that of the legislature, would ever have weight enough to offer any obstruction. Experience from 1777, had fully demonstrated the imbecility of every executive office in the United States. From the executive, no such offer could be anticipated. In 2d institute 55, my lord Coke says, the king is the speaker, and in contemplation of law, is constantly present in all his courts, pronouncing the words of magna charta, "*Nulli vendemus, nulli negabimus, aut differemus justitiam vel rectum.*" In Tennessee, every legislature is in contemplation of law during the whole session, and the judge of every court during the whole term, in the constant repetition of the words "right and justice" must be "administered without sale, denial or delay." In 2d institute 56, justice is said to be the end, and right the mean, whereby we may attain the end, and that is the law. What that mean consists in, is more specially explained in Sullivan 523, where it is stated to be *original and judicial process*. Original process, he says, must issue without price, except that which the law fixes, and without denial, though the defendant

be a favorite of the king or government who interferes in his behalf, and must be proceeded on by the judges after suit instituted upon it, without delay, themselves, or by order of the king, or, as we say, act of the legislature. And the judges where the causes depend, must issue the proper judicial process, without fee or reward, except that fixed by law. In other words, where judgment is rendered, the judges shall cause execution to issue, notwithstanding any order or act of assembly, or other pretended authority whatsoever.

This is the long-fixed, well-known meaning and legal construction of the words, right and justice, *without sale, denial or delay*. They clearly comprehend the case of executions suspended by act of the legislature in every instance, where justice requires that it should immediately issue; as it manifestly does, where the law, operating upon the contract when first made, held out to the creditor the promise of immediate execution after judgment.

There is yet another part of our constitution which some suppose takes from the legislature the power to suspend execution. By our bill of rights, sec. 20, no retrospective law, &c. This clause, taken in its common and unrestrained sense, extends to all prior times, persons and transactions, whether civil or criminal; yet, certainly, there are some cases coming within its general scope, to which it does not extend. It does not extend to *ex post facto* laws, for they are prohibited by bill of rights, sec. 11. It does not extend to a law for extenuation or mitigation of offences, the remission of penalties or forfeitures. A present law may repeal a former one, or may enforce a contract heretofore made; or may make evidence a paper authenticated according to its directions, which was not evidence before, or may suspend computation under the act of limitations for a certain time past, during which a war existed, or no courts were in being; nor are laws void, which give further time for the registration of deeds; nor for the disallowance of land warrants unfairly issued; nor divorce laws; nor laws making allowances to members of assembly, their clerks and doorkeepers, after the service is performed. That the term retrospective has a very restrained meaning is abundantly testified by the conduct of subsequent legislatures and of the judicial tribunals of the country. In February, 1796, the constitution was made; in March, 1796, the legislature gave further time for the registration of deeds, and made registrations under it as good and valid, to all intents and purposes, as if such deeds had been registered in proper time. Similar laws have been made in 1801, 1803, 1805; and almost at the expiration of every two years. These acts have been frequently held valid by judicial determination. The acts of 1796, chapter 14 and 43, section 4, ch. 45. 1799, ch. 35, sec. 2, ch. 20. 1797, ch. 47. 1801, ch. 19. 1807, ch. 35, are all of them retrospective, in the most general sense of that term; but they are of unquestionable validity.—And what are the laws of 1801, ch. 24. 1803, ch. 25. 1805, ch. 4, for confirming administrations granted and marriages solemnised under the Franklin government, and for giving old verdicts the force and effect of judgments entered upon them? In short, so many are the past transactions, upon which the public good requires posterior legislation, that no government can preserve order, suppress wrong and promote the public welfare, without the power to do so. It is not withheld from any of the state governments, unless the present clause be an exception. Nor does the genius of free government

demand that it should not be exercised; as it does, that the legislature should not have power to pass an *ex post facto* law; because, with that engine, a dominant faction might spread destruction through the ranks of its political adversaries.

The laws of 1783, ch. 7. second 1794, ch. 13. 1803, ch. 1, s. 5, were all of them retrospective in whole or in part, but were never deemed unconstitutional. All these and many other acts of the legislature establish the truth of the position, that there are some, and, indeed, many cases, in which retrospective laws may be made. We have viewed, with earnest attention, the bill of rights, sec. 20, and have considered the inconveniences which any one interpretation will produce, and have finally settled down in this opinion, that the word *retrospective*, as, in the North Carolina and Maryland constitutions, it is followed by *explanatory words*, so here it is explained by the words which immediately follow, "or law impairing the obligation of contracts," and that the whole clause and both sentences, taken together, mean that no retrospective law, which impairs the obligation of contracts, or any other law which impairs their obligation, shall be made, the latter words relating equally to both the preceding substantives; and, therefore, that the term *retrospective* alone, without the explanatory words, can have no influence in this discussion.

There is yet another clause of our constitution, which is said to militate against this act of the legislature. Our bill of rights, sec. 8, declares, "That no man shall be deprived of his property, &c. but by the judgment of his peers or the law of the land." Property is a thing in being, which is capable of becoming the subject of dominion or ownership, and which actually has a master or proprietor, and is actually reduced into possession. Property in possession by this clause is secured to the owner, so that it cannot be taken from him but by due course of law, in a court regularly constituted and proceeding by the standing rules of law; not by act of assembly, depriving the owner of it for the benefit of some other individual. The state has the eminent domain or *ultimum dominium* over all the subjects of property in its territory, and may use it on urgent occasions for the public good, when in the opinion of the sovereign power, it is just and necessary so to use it. In the war of the revolution, the government authorised impressments of all things necessary for promoting the great cause in which it was engaged. This power of the legislature, by sec. 21 of our bill of rights, is limited in its exercise, though not taken away; "no man's property shall be taken or appropriated to public use without the consent of his representatives or without just compensation being made therefor."

The act of assembly, now under consideration, takes away no property either for public or private uses, and is therefore not affected either by sec. 8 or sec. 21 of the bill of rights.

The result then of the investigation we have made is, this, that suspension of execution as directed by these acts of the legislature: now under consideration, is forbidden by the prohibition of tender laws, as a direct consequence of the prohibition; also, by the interdiction to pass laws, impairing the obligation of contracts; suspension of execution being an impairing of such obligation; and furthermore, by the declaration that *justice and right shall be done, without delay in all cases*, the process of execution being one sense of the term *right*, which is not to be delayed.

We are therefore bound to say, that these acts are repugnant to the constitution and void, so far as relates to the suspension of execution; and that execution ought to issue immediately without any such endorsement as the act requires. The judicial tribunals of the country must refuse sanction, to acts which are to be executed through their agency; such as an act of suspension of execution is, which cannot take place without the assent of the court. There are some violations, which need not their instrumentality and of course cannot meet their rejection, and which alone the great body of the people must correct. An occlusion of the courts of justice would be one of them. The courts cannot sit but on the days appointed by the legislature; and in that and other instances, the court having no agency, would have no responsibility. Wherever their co-operation is unconstitutionally required, it is the most sacred of all their duties to withhold it, and whenever they are found to want *firminess to do so*, the constitution and public freedom die together.

And here it is convenient to obviate an argument of frequent recurrence. The assembly, it is said, have a right to suspend execution, because they may place the terms of the court at such a distance from each other as to make it impossible for a creditor, to entitle himself to execution in less than two, three or more years at the pleasure of the legislature. The assembly has power thus to fix the terms of the courts, and a suspension of execution would be one of the consequences. The power to fix the terms, however, was not granted with a view to such consequence, but to the more easy and convenient administration of justice, consistently with the spirit of the constitution, displayed in the section which requires that the courts shall be always open for the redress of injuries. To fix the terms, at a remote distance from each other, for the purpose of producing an effect adverse to the spirit of the constitution, would be to use the power of the legislature for purposes not intended in the grant of it to them. It would be an abuse of power, as much so as the suspension of the courts themselves; and certainly, the legitimacy of an end produced, cannot be established by deducing it from an abuse of power; an abuse so alarming and so odious in its exercise, that it never has been resorted to, and perhaps never will be, by the legislature; unless when the calamity to be evaded, shall, in the opinion, and by the consent of all mankind, be more disastrous and afflicting than the means adopted for its prevention. The indignant disapprobation of the people is a corrective, so powerful that it need not be aided by any auxiliary power in any co-ordinate branch of the government but may be safely left as the people have left it, to its own inherent energies. Whenever the people shall be ready to approve of such a measure, the adoption of it may be safely committed to the uncontrolled discretion of the legislature. The power of the legislature will then fairly flow in the channels which the contested argument opens for them, and not as at present through others, which the argument does not pretend is open to them. The contested argument is unsound unless an illegitimate end, produced by a misapplication of power, can sanctify the like end produced by a direct infraction of the restriction imposed upon that power.

To be more explicit still; if a suspension of execution may be attained, through the medium of the legislative authority, to fix the times and places of holding courts, it by no means follows that

the same end may be attained, through the medium of a prohibited legislation upon contracts already made.

It is proper, however, to remark in conclusion, that the same good faith which protects the creditor against injustice, interposes a powerful veto against the subjection of the debtor to a greater burthen than he has undertaken to bear. If he has specially contracted for payment to be made in bank paper, or if such was the meaning of the contract and the understanding of the parties, at the time of its formation, it would be highly unconscionable in the creditor, to enforce a payment in gold and silver, taking advantage of that extraordinary state of things which at this time pervades the western country, rendering a payment in gold and silver not only far more burthensome, but almost impossible and absolutely ruinous. The debtor ought to be heard to say, *non in hac vincula veni*. There is a salutary rule in equity which ought to be applied, under such extraordinary circumstances, and it is this; *whatever a man has a right to in conscience, and the law has not fully provided for, equity will*, 1 Fonb. 15. 20. It is a rule which is the foundation in equity of all the precedents we now follow, and which have been established upon it. The immense and almost incalculable difference that at present exists in this state, between specie and paper payments, justifies the application of this rule in its fullest extent, to obviate the injustice of creditors, who would enforce specie payments, instead of the paper ones which they agreed to receive. Such creditors by bill in equity and injunction, should be held to specific execution and be compelled to receive what they stipulated to take, and not be allowed to ruin the debtor by calling for gold and silver. The precise contract ought to be complied with exactly as it was made, and the most perfect good faith be preserved on both sides. This relief ought to be confined to that species of bank paper which the contract specifies; and when there is no such specification in the contract, should be extended to every species which is generally current in the state, the debtor making a proper allowance in all instances for the difference of value between one species and another that is generally current, and for the depreciation that has intervened since the day appointed for payment in the contract itself. The rule of equity must be applied that he who will have equity, must do it. He who seeks relief against injustice must not do injustice, and wherever an injunction issues, security should be given to pay such sum as the court shall finally decree.

These points, to be sure, are not before us for judgment, and we mean no more than to intimate what at present are our general impressions; and to state in general terms the principles which I now think should be resorted to, leaving for future adjudication in each particular case that may occur, the particular relief which that case may require, to effect justice according to its circumstances.

This is the opinion which I deem the proper one to be given on this question and which, if it were entirely concurred in by judge Emmerson, as it formerly was, I would now finally give, altho' judge Whyte is not yet prepared to give his.

But as there is some part of this opinion which judge Emmerson does not concur in, namely, that part which enforces paper money contracts specifically as made, it must therefore not be considered as final, till it can be ascertained by the opinion of judge Whyte, whether in this point I am correct

or not. For, if I am so, then injunctions ought to issue whenever it shall be attempted to extort gold and silver, in satisfaction of a paper money contract, which, however, cannot be issued with propriety and safety to the applicant, before it is known, by that opinion, whether such a course be a proper one or not. Under these considerations it seems better to wait for his opinion than to expose debtors to great losses without informing them of the means of redress within their power, if any such there be.

Should injunctions issue before we are definitely informed upon this point, it might happen that 500 bills might be filed and injunctions be issued upon them, all which would ultimately be found unsustainable, and be dismissed, with costs to be paid the applicants, after an illegal delay of execution for several months. Mischiefs so serious as these, it is prudent to avoid by conforming to the usual practice of courts, not to give judgment till all the members of the court are ready with their opinions.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

From London papers of the 17th July.

The queen still persisted in her resolution at least to witness the coronation.

The establishment at St. Helena is to be reduced to a captain's command—that at the Cape of Good Hope is also to be lessened.

A person holding 160 acres of land, in a parish of upwards of 3000 acres, near Maidstone, now pays as much for poor-rates as was paid by the whole parish fifty years ago.

A lady, at Kingston, during the winter, opened her window to a robin, which soon felt the pleasure a hearty welcome affords, and continued a daily visiter; in the spring he introduced his mate who hatched four eggs in a nest the two birds had built in the cornice of the window curtain.

Later—London papers, to the 30th July, have been received at New York. They are filled with accounts of the mummeries which took place at the coronation of the king, on the 19th of that month. We have not yet concluded whether we ought to record the things that happened on the occasion—but an exhibition of folly sometimes tends to teach wisdom, and with that hope, as well as for the amusement of our readers, perhaps we may give the official detail. The queen attempted an entrance into the Abbey, but was rudely rejected at every door—it is stated that the different officers had orders to say that they *did not know her majesty!* The *raree show* passed off quietly.

FRANCE.

London July 16. We have received the Paris papers of Thursday. The French chamber of deputies proceed with the budget, the various branches of which have already given rise to many animated and striking observations. In the debate of Tuesday, M. Ternaux took occasion to advert to the advantages which France had derived from her revolution. These might be comprehended, it is true, under the single head of a "representative government;" but the following brief detail may serve to exhibit the more particular views of well-informed Frenchmen upon the same subject:—

1. The abolition of corporations, of wardenships, and exclusive privileges, and the consequent opening of the field of speculative enterprise to all men endowed with knowledge and talent. This was accompanied with a complete removal of that barbarous prejudice which used to influence a manu-

facturer or merchant to abandon his useful business that he might get himself ennobled.

2. Twenty-six religious festivals, which had burdened the calendar, were abolished also;—and here, M. Ternaux, by a curious calculation, added, that the produce of industry thus restored to the state, was no less than fourteen millions of francs per day, or three hundred and sixty-four millions per annum.

3. The introduction and rapid increase of machinery into France, and consequent accumulation of commercial capital.

4. The sale of the confiscated lands, and subdivision of property thence arising, by which the same surface yielded a more valuable produce, from the deeper interest felt by the occupiers in its active and successful cultivation.

5. The suppression of monasteries, by which 450,000 vigorous hands were added to the sum of labor.

6. The equalization of taxes, which enables the country to pay the enormous revenue of 887 millions of francs (above 36,000,000*l.*)

M. Ternaux concluded by admonishing ministers of the necessity for a reform in the administration in the finances.

PORTUGAL.

It seems that a great quantity of corn is smuggled into this kingdom—the matter has been offered to the consideration of the cortes. It appears that the privateers off Lisbon have grown so bold as to have even contemplated getting possession of the Camoens, a ship of the line, richly laden and about to sail for the east—but they had not succeeded: some vessels were sent in pursuit of them.

The following is an account of the reception of the king—

Lisbon, July 4.—At ten o'clock the deputation of the cortes proceeded to meet his majesty, for the purpose of accompanying him on his landing. At 12 o'clock the cortes were advised by the minister of the interior, of the disembarkation of his majesty, together with the infants Don Miguel and Don Sebastian; that the persons designated in the decree of the cortes, remained on board, and that the king was accompanied by new attendants. At half past five he entered the hall, preceded by the deputation, and followed by a brilliant suite—pleasure and majesty beaming from his august countenance, and occupying the throne, he took on the holy evangelists the solemn oath, of which the following is the form:

"I, Don John the VI. by the grace of God and of the constitution, king of the united kingdom of Portugal, Brazil and the Algarves, swear upon the holy evangelists, to maintain the R. C. A. religion, to observe the bases of the constitution decreed by the general and extraordinary cortes of the Portuguese nation, and the constitution to be made by them, and in all things, to be faithful to the said nation."—This ceremony being ended, the president made an eloquent address to his majesty, and gave the proper *vives* which were repeated with an indescribable enthusiasm.

His majesty then retired attended by the deputation, and Mr. Freire entered shortly after, to inform the cortes that his majesty was occupied in naming his ministers, and that M. Pinheiro, minister of foreign affairs in the Brazils, waited their permission to read the reply of his majesty, to the address of the president, which being granted, he occupied the place corresponding with his station, read it and retired. The session was declared permanent till the new ministry should be nomina-

ted; at 9 at night an official communication was made by vice admiral Quintella, accompanied by a decree of the king, in which he named the said vice admiral minister of the interior, M. Duarte Coelho, minister of the treasury, M. Texeira Rebello, minister of war, admiral Monteiro Torres, minister of marine, and the count of Barbaceno, minister of foreign affairs.—*El Patriota*.

It is worthy of remark, that the cortes decided that the members of that body should remain covered in the presence of the king.

GERMANY.

Five Jews arrived at Leipsic, during the fair, each by a different gate, in elegant coaches and four, and, being in collusion, issued forged Dutch paper to the amount of £100,000, for which they obtained goods and gold, and then decamped.—They were pursued, overtaken, and are now confined at Leipsic.

RUSSIA AND TURKEY.

There are a variety of rumors shewing the probability of war between the Russians and Turks—the following are some of them:

A Vienna article of July 3, says:—"We have just received the important news that the important discussions between the baron Strogonoff, at Constantinople, have taken such a turn that the Russian minister has withdrawn to Bojukkere—whence his excellency, without delay, addressed a circular to all the Russian merchants throughout Turkey, advising them to put their affairs provisionally in order, and to secure their property, in order not to be taken unawares by a government which no longer observes any measures in its conduct. Opinion gains strength that a war between Russia and Turkey is inevitable. It is affirmed that the Reis Effendi no longer returns any answer to the applications of the Russian minister. Since his excellency left Constantinople, further massacres have taken place in that capital, where, it seems, they are resolved to exterminate the Greeks.

A letter, dated Frankfort, July 8, says—We have received a communication of the highest importance from Odessa. It announces in the most positive manner, that the relations between Russia and the Porte have suddenly taken a serious turn, and every thing is calculated to excite alarm, that the consequences of this misunderstanding will be very serious.

It is announced from Copenhagen, that the Russian fleet in the Baltic, which was equipped with so much haste, has sailed for the Mediterranean.

There is a report that Alexander's troops have really entered Moldavia, upon the ground of the Turks having violated the existing treaties, by occupying Wallachia, without the consent of the Russian government.

The Journal of Paris says that a war between Russia and Turkey is inevitable. It is positively asserted that the ambassador from the former has left Constantinople. *See next article.*

TURKEY.

The Turks were shut up in the citadel at Athens, wanting provisions and water, and much pressed by the Greek patriots.

The accounts, in general, from Turkey are rather contradictory, but the following seems to be the substance of the most plausible statements:

That the Turks had fled from Bucharest "on the approach of another army besides Ypsilanti's"—That the Russians had entered the Turkish territories, as it was said, with orders not to stop until they reached Constantinople. [A rupture, or the probability of one, between them and the Turks, is stated from

several quarters; but other accounts discourage the idea of hostilities.] The Greeks have beat the Turks in two sea fights—one in the Gulf of Lepanto, in which the whole Turkish squadron, among which was a ship of the line, was destroyed; the other off the mouth of Dardanelles, in which the Turks lost two frigates and some smaller vessels. A letter, dated Constantinople, June 19th, states, that "since the account of the destruction of our fleet has been received, this capital resembles a town taken by assault, some of the streets are encumbered with human bodies, and drownings (*noyades*) have commenced. Five priests, who recently celebrated their religious rites in the open air, with more than ordinary fervor, have been massacred, and their corpses horribly mutilated. God knows how this well end." The Greeks are receiving large supplies of arms, &c. from Spain and other places, which they pay for promptly. Many speculators were proceeding to Argentina, where, at numbers of prizes, taken from the Turks, arrive, and are sold at a low price. They have a complete command of the neighboring seas; and, in any event, it will not be an easy thing for the Turks to reduce the islands again to their yoke. At Smyrna, it seems that the Greeks had embodied themselves, and were successful. It is positively said that the Russian minister's papers had been seized by the Ottoman government—if this is true, there can hardly be a doubt of a rupture.

The spirit with which the Turks carry on the war against the Greeks, may be gathered from the following articles—

The Albanians had so irritated the people, that several wealthy Turks repaired to the slave market, and paid 25 piastres, merely to have the pleasure of killing a Greek! One hundred and fifty virgins, whose parents had been previously assassinated, and who were of the first Greek families, (amongst them were two princesses, Morusi, and a princess Maurojene, niece of the Turkish charge d'affaires at Vienna, lately recalled), were abandoned to the brutality of the Turks in open bazaar, at the rate of a crown a-piece! The greater part of these young women perished in consequence of this inhuman treatment.

The Greeks in the Morea having completely driven out the Turks, the vengeance of the latter against those from that district is proportionally increased. Nearly all such that could be found were murdered at Constantinople, or seized and sold as slaves for 20 or 25 piastres each. The houses of the Greeks were generally pillaged—the infamous Jews appear to have acted as spies and guides in these transactions.

There has been an extensive massacre of Christians, generally, at and near Smyrna—the troops marching for Constantinople, even murdered the Turkish governor, Cadi and Mollah of that city.

The Greek priests are peculiar objects of Turkish revenge—50 were killed in one day at Constantinople. They have totally destroyed by fire the town of Sydonia, or Ivalia, which contained 30,000 Christians, putting all the adult males to the sword, and selling the women and children for slaves!—There is a strong report that Smyrna has also been destroyed by the Turks, with fire, after the communications there. This was a great city, containing about 150,000 people.

At Constantinople, a great number of men and women have been drowned, in parcels of six tied together and thrown into the sea—such of their bodies as came ashore were given to the dogs.

These are mere *exhibits* of what has been done by the Turks—and we cannot but wish the annihilation of a government which authorizes or permits such horrible and extensive cruelties. At Bucharest, children were hung up by their heels until they died, or some one, in mercy, chopped off their heads!

The religious ceremony of the interment of the patriarch Gregory, assassinated at Constantinople, was celebrated with great pomp at Odessa.

The patriots have the ascendancy in Thrace—the mountains of Bulgaria are occupied by them. There is a report that their fleet had actually forced the Dardanelles and destroyed the castles erected to defend the strait. This is probably premature. Thessaly is in complete insurrection.

A belief prevails that the pacha of Egypt has formed a friendly connection with the Greeks. This pacha is a brave and intelligent man, and, for a considerable time, has done little more than acknowledge a dependence on the Porte.

COLOMBIA.

St. Thomas, August 24. "The good cause prospers on the continent, and I have just heard that Carthagena has surrendered upon terms the most liberal and honorable to the besiegers, who have required nothing of sacrifice, but have sought to mitigate, even what might be painful to those who submit. The royal troops which surrendered at Bocca Chica, have embraced the republican standard. The state of things at Porto Cabello is melancholy, the black vomit rages there—average 20 deaths every day. Col. Pereira, who lately capitulated at La Guyra, fell a victim to the black vomit in three days after his arrival at Porto Cabello—the royal generals La Torre and Morales are both sick; the latter not expected to survive."

CUBA.

In consequence of the progress of things in Mexico and South America, it is said that the people of Cuba begin to talk of independence pretty freely. It is highly probable that the sovereignty of this fine island will soon depart from Spain.

MEXICO.

The independents in Mexico appear to be in great force—they possess many of the principal places. The communication between Mexico and Vera Cruz is still intercepted by them. The new viceroy, O'Donaju, had arrived at the latter, but did not deem it prudent to remain and departed for Havana. It is very difficult to ascertain what is the real state of things in this country. But, it is said, that *all the kingdom*, except Puebla, Mexico and Vera Cruz, is under the independent flag, and that turbid was advancing on Mexico with all his army. Cordova has been reduced to a heap of ruins by a siege, and yet the besiegers, (patriots), were repulsed; said to be with the loss of 1000 men.

CHRONICLE.

Florida. We learn, generally, that gov. Jackson is zealously employed to organize the administration of justice in this newly acquired territory, and that, so far, all things are well. He has divided the country into two judicial districts, one called the county of Escambia, which has the Suwaney for its eastern boundary—all the rest is called the county of St. Johns. Col. Forbes is mayor of St. Augustine, at which place the oath of allegiance

has been administered to such Spaniards as pleased to take it, by Mr. Worthington, secretary to the territory, and acting governor there.

The late storm—"a touch of the marvellous." The New York Gazette says—The chimney of a house in South street, occupied by Mr. William Card, blew over on Monday night, during the gale, and rested against the gable end of Mr. Jeromus Johnston's store; on the shifting of the wind, it blew back again into its former station, and it now stands as erect as usual!

Piracy. The schooner Union has been plundered by a pirate, a little to the southward of Cape Henry. The piratical vessel is a schooner of fifty or sixty tons, and manned by a number of dirty, desperate wretches.

Disease. The country on James river, about New Canton, is afflicted with bilious and other fevers in an unprecedented manner. It is said that scarce a family or a member of a family is exempt—and its prevalence is such that there are hardly enough of well persons to supply the sick with water! Many travellers have been struck down with the terrible disease on the road. It is considered fortunate that the patients cannot eat, because cooks could not be found to furnish victuals for them! We have never before heard of so severe a disorder.

Arkansas. A party of men, under the superintendence of Henry D. Dows, esq. commissioner for running the boundaries of the late cession to the Choctaws, as well as for exploring the yet unknown territory of Arkansas, have entered upon the performance of those duties.

Texas, the neighboring province claimed by Spain, appears to be the resort and abode of bands of armed men engaged in smuggling, and especially in the introduction of Africans, for sale in Louisiana, already, indeed, too severely charged with the principles of desolation.

Michigan. This territory, so remote that we hardly heard from it once in three months before the late war, is so near to us now that we communicate with our friends at Detroit every week, and the time is about to arrive when a journey to that city will become a jaunt of pleasure, through the Erie canal and a steam boat voyage on that lake; and Michigan, yet thinly populated, teem with busy men, employed in the works of agriculture and art. It is a fine country, and, though so much neglected in times past, will hereafter draw off a large portion of the emigration from the old states. The land is well adapted to the culture of all sorts of bread stuffs, with that of hemp and flax and for breeding sheep. Detroit is already the centre of a very respectable trade, especially in furs—it is thought that copper, from lake Superior, will soon become an interesting item of commerce—gypsum is abundant; and it is calculated that a supply for all the regions on the shores of the great lakes will be derived from this territory. Tobacco has been raised to advantage on the opposite side in Canada, and the water communication about to be opened will place the farmers of Michigan nearer to the market than most of their brethren in the old states.

*It is stated in the Buffalo, (N. Y.) Press, of the 21st ult. that two schooners had arrived there from Detroit, during the preceding week, with 600 packs of furs, valued at about 90,000 dollars.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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The current matter of this week, though much of it cannot be called important, generally partakes of such a character as renders the facts related necessary to be known and preserved, with a view to a correct understanding of the results to take place. It is possible that great events are about to happen, if they are not already consummated, as to Turkey, Mexico, and South America; and the history of them, we suppose, cannot be well understood without a notice of their beginnings. Though the "holy alliance," at war with every thing opposed to the darkness and servility of despotism, yet exists,—there is a hope that some convulsion may dissolve it, even though "infuriated man should seek through blood and slaughter his long lost liberty." War is not the greatest of evils.

We shall not indulge in speculations on the probability of events—of these every one will best judge for himself just now, with the lights afforded—but we do think there is some prospect that, before Europe and "Spanish America," as it is called, settle down, much will be accomplished to exalt the character of the human race.

In our next paper, we shall commence the publication of a view of the debt, receipts and expenditures of the United States, accompanied with such plain remarks as the nature of the case may suggest. We are at war with the present system and practice in many respects, and shall exert ourselves to bring about reformation and retrenchment, which we consider absolutely necessary.

BRITISH CORONATION. On reflection, we have thought that our REGISTER would not be complete without a report of this ceremony—we therefore insert the "official account" of it—hoping never to be troubled with the like again!

HEALTH OF OUR CITIES. A few cases of fever have occurred at the New York quarantine-ground—the city is very healthy. At Norfolk, we are happy to observe, the disease is on the decline, probably from the removal of the people from the infected parts of the borough. A letter from Wilmington, N. C. dated Sept. 7, gives a description of the progress and prevalence of the malignant fever there. The medical gentlemen were worn out—one had not pulled off his clothes (for rest) for ten days, and 100 people were said to be sick, many of them black, for the white inhabitants had chiefly left the place. In evidence of this, it is mentioned, that on a certain day, after the arrival of the northern mail, only seven white persons called at the post office.

HEALTH OF BALTIMORE. Interments for the week, ending yesterday morning, September 21, at sun rise.

	malignant.	other.	total.	under 5.	col'd.
Sept. 15,	0	6	6	4	0
16,	0	4	4	3	2
17,	4	10	14	3	0
18,	2	12	14	5	5
19,	4	5	9	2	0
20,	3	8	11	1	2
21,	1	7	8	3	0

Whole number of interments 66

VOL. XXI.—4.

The total amount of deaths in Baltimore would not excite much alarm, if some of them were not caused by malignant fever—indeed, the city must be regarded as generally healthy. Not one death by malignant fever, except on the Point or of persons from that section of our city, during the last week.

At this period, (Sept. 23), in 1819, the fever that prevailed here, had passed its greatest extent.

A GOOD HIT. The Washington City Gazette, on inserting an article from a Richmond paper, which noticed the departure of a large convective of martens, after being engaged in chattering the whole of the preceding night, says—"Immense numbers of these birds had built nests under the cornice of the capitol, this summer; after rearing their brood and teaching them, by a thousand trials, to fly,—the chatterers have chiefly taken wing for other climes. They were noisy, but lively welcome neighbors—and so will be their successors on the inside."

AN OLD WHIP. The following is an extract of a letter to the editor from a gentleman who was, for many years, a member of congress, and whose name was familiar in the year seventeen hundred and ninety-eight, &c. to almost every prominent politician:

"Your endeavors to promote national industry, and the communications you have published on the "meaning of words," appear to me praise-worthy, as being well-calculated, as far as their influence may extend, to produce a reform in the proceedings of our public functionaries. The last congress, certainly, consumed much time in saying and doing things which they ought not to have said or done, to the neglect of doing many things which the prosperity of the nation imperiously required. It is true, that we heard of much economy and curtailments in expenditures, sounding in the hall of congress; but, except a small reduction of the army, all evaporated in noisy words and inflated declamation. In my opinion, they began at the wrong end of their most necessary work. The civil list, especially in the legislative department, is shamefully extravagant in several respects, considering the great reduction in the price of agricultural productions, and the industry of our mechanics and common laborers.

Under the pressure which our most valuable citizens experience, the public mind seems to have sunk into a dangerous stupidity. The repeal of the compensation act, at the close of the fourteenth congress, and the collusion, (for such I must call it), of the political parties which then took place, like the effects of the Syrian sirocco, enfeebled the patriotic feelings of the people generally, and spread the contagion of a destructive lethargy over all the country. But, I think I perceive symptoms of an awakening sense of danger among our citizens; and I trust it will not be long before they will arouse, and, as formerly, shake off sloth, and, in full majesty, regenerate the republic, as fully and as usefully as was done in 1800."

AGRICULTURE AND MANUFACTURES—Addressed to the editor: "Sir—I observe that several insidious writers on the proposed alteration of the tariff, affect to say, that the agriculturalists and the importing merchants of the United States have a common interest, in opposition to the manufacturers; than which nothing can be more false and absurd. Every enlightened farmer is of opinion that it is more the interest of the agriculturalist than of the manufacturer, to establish manufactures. There are selfish manufacturers, in particular branches, who, in their moments of candor, confess that they want no further protection, because the effect would be, that many persons would engage in the business with large capitals, that their competition would completely stock the market, reduce the prices which are now obtained, and oblige the American, like the English manufacturers, to export the surplus and refuse of their work to foreign countries; while at present, there is a demand for every article made—even the waste and refuse, which would not otherwise be saleable, command a good price.

But farmers are familiar with the saying, that 'hogs are the best sacks for carrying indian corn to market;' they see that there is no vent for their produce abroad, that England, France, Spain, and all other enlightened countries, wisely give the preference to the products of their own agriculturalists,—and only admit the importation of foreign products which are different from their own, and these only as objects of taxation or as materials for their manufactures; and that these countries further support their agriculturalists, 'the true basis of a country's wealth,' by protecting their manufacturers and increasing their numbers—thus making a sure market at home for the consumption of their agricultural products, and exporting their beef and potatoes in the shape of broadcloths and linens.

Farmers are aware that it is time to change the present ruinous policy—that, while their own produce is wasted for want of a market, they ought no longer to promote the consumption of Italian polenta in Leghorn bonnets, of French bread and olives in Lyons silks, and of English meat and meal in the various manufactures of England; and every reflecting person must soon be convinced, that, before the country is drained of its last dollar, and before the total ruin of the farmers takes place, it will be necessary to assume another attitude, to stop the consumption of foreign products in the shape of foreign fabrics, and to excite the industry and to provide for the labor of the country, by the consumption of articles of our own growth and manufacture.

By judicious laws, half a million of persons who are now idle or unprofitably employed, may be added to the manufacturers of the nation—manufacturing establishments will then start up in every part of the country, farmers will not only have a demand for the grand staples of their farms, but they will have a market at their doors, for their eggs, poultry, milk, fruits, garden vegetables, and other things which are now of no account—foreigners, from Spanish America and other countries, will contribute to the consumption of these articles, by obtaining supplies of manufactures in our ports; money will be received in return; it will universally circulate; and industry, prosperity and cheerfulness will every where abound—farmers will then have the ability to employ and pay professional men, artists and mechanics—they will enjoy the comforts as well as the necessities of life, and

the United States will then be the happiest country in the world.

But I confess to you, Mr. Niles, that I have no great expectation that these events will take place from the proceedings of the next congress—the members are already elected, they have been chosen during a season of apathy, and too many of them are under the influence of importing merchants or foreign agents, or are under a delusion from the supposed advantages of foreign commerce; but the good of the country will require that foreign commerce should be subjected to public examination and a strict investigation, in which case I am very confident there will be an end to its influence and delusion, and that, after the next election, a line of policy will be adopted more conformable to the true interests of the country, than that which we now pursue.

I am, sir, very respectfully, &c. A FARMER.

A REMARK BY THE EDITOR. The preceding may be said to contain great truths within the compass of a nut-shell. Sounder doctrine was never promulgated. We do not, however, give up to the fears expressed in the last paragraph—it is true, the congress about to assemble was chosen in a "season of apathy"—but the circumstances under which they are placed, by the beggarly state of the public finances, will compel the members to think a little more than it has been customary for them to do, as well as to act in retrenching expenditures or creating receipts. The former cannot, or rather will not, be effected to a sufficient amount; too many great men are interested in keeping them up, and ways and means must be provided—hence the productive industry of the country will be considered as qualified to furnish revenue, and something beneficial may result. The idea of supporting government by borrowing money, the practice of the two last years, has grown stale—and I verily believe that the people are nearly prepared to consider any one as dishonest, that shall propose a new loan without adopting means to repay it. Certainly, it is a most disgraceful procedure. But if the next congress will not act, the people must rest content to do as well as they can, for two years more: they will then be alive to the subject, and the apportionment under the new census will have much weight.

ROYALTY. In our last paper, page 35, we spoke of kings as occupying "a middle space between rational men and irrational brutes;" the following may illustrate the truth of the remark: "The king of Naples, says Lady Morgan, never goes forth for the chase without arming himself with a heron's foot, which he places in his button hole, as the most effective charm against the *Monacelo* (the Neapolitan *hobgoblin*) or against the ill luck of meeting an *old woman* or a *priest*, as he crosses the threshold—both ill omens for the day! When lord *** came to an audience to take leave of his majesty on his return to England, the king told him he had a little *bouquet d'allien* for him; and when his lordship probably dreamed of a gold snuff box, with the royal face set round with brilliants on the lid, he was presented with the *heron's foot*, as a spell against all accidents in an English fox-chase, and the remembrance of royal friendship and Neapolitan field sports."

PRESIDENT ADAMS. The following letter was received by the committee for the management of *Sailors' Libraries*, in an answer to one addressed to the Sage of Quincy, over the signature of "Nep-

tune"—it breathes an air of incomparable gaiety, considering the writer is *only* 84 years of age!

Montizillo, July 30, 1821.

To "Neptune," at *Wiley & Hildreds, New York.*

SIR—I have received a letter under the above signature, dated 22d July, 1821—but it must surely be a supposition; for the genuine master of the trident, which is the sceptre of the ocean, never indulged himself in so much flattery.—Nevertheless, the institution he recommends, has my most cordial approbation. Every institution calculated to alleviate the sufferings and promote the comforts of that brave, generous, hardy and intrepid, though too often inconsiderate portion of our fellow citizens, the seamen, ought to be encouraged. Any thing which can teach them to think, would be invaluable to them. If I had a book, which could assist the design, I would endeavor to find means to send it.

I am, with profound respect to the real Neptune, and no ill will to the imaginary one, his humble servant,
JOHN ADAMS.

MISSOURI. In our last, we published an account of the destruction of the bank of Missouri, in detail, as a warning to legislators how they permit the establishment of such institutions. It has beggared many honest men and deprived many widows and orphans of their support, and besides, in all probability, defrauded the United States out of \$152,407, the people's money, deposited therein for security!—Heaven preserve us—surely we are under the influence of the moon! for the citizens of that state already appear to be congratulating themselves on the prospect of getting *paper* at the loan-office lately established by the legislature, to complete the destruction which the failure of the banks of St. Louis and Missouri has commenced! The engravers and paper makers and printers, the signers and counter-signers are all in a bustle to *manufacture money*, or stand prepared to fill their several parts; but we are told that the whole number of notes will be about *sixty or seventy thousand*, and that the people must wait patiently until the 15th of October, when it is expected that the monster will be permitted to run at large! Blessed will the honest man be, that refuses to have any thing to do with this paper—like that issued by dishonest banks, it will only serve to enable a few to profit on the sufferings of the many; else its operation will be different from any thing of the sort ever before established in any part of the world.

PENSACOLA. "The Floridian" a weekly newspaper, has appeared in this city. It promises to be conducted with much spirit and ability. We have already noticed a similar establishment at St. Augustine, and hope that both may find plenty of readers and liberal encouragement.

"The Floridian" contains the following remarks on a work entitled "Sketches, historical and topographical, of the Floridas, &c." by J. G. Forbes, and is another evidence that "a man does not write any the worse on a subject because he understands it," as Fielding says:—

"This work contains about two hundred pages, chiefly extracted from Bartram, Romans, and Elliot, the remainder eked out by the treaty with Spain, the act of congress relative to the Floridas, and some extracts from the treaty of '83, between Spain and Great Britain. The book is ornamented with an engraved plan of the town of Colinton, at the mouth of Appalacha, or rather the town *that is to be*, and the preface is chiefly devoted to the praises

of the tract of country called Forbes' purchase, of which the said town is to be the metropolis. We can of course discover no private views, no squinting towards speculation, in this publication, and certainly we do not mean to accuse Mr. Forbes of the sin of originality in his production. He has been extremely successful in hunting up and scraping together, the accounts contained in old magazines and gazetteers. We are convinced that Mr. Forbes is not jesting when he declares, that *what he has written is from personal observation!* In proof of this we shall make a short extract from his account of Pensacola.

"This town is in the form of a parallelogram or oblong square, having regular and wide streets of sand, *with side pavements of brick*, [meaning that such might be made.] It is about *thirty miles from the sea*, [meaning nine miles,] having an *elegant stone house for the governor, with a tower!* [meaning that there is not a stone house, or a tower in the town, and that the governor's house is a very mean edifice, almost in a state of ruin.]

"Should we at some future period possess leisure for the purpose, we may amuse our readers with some further notice of the work of Mr. Forbes."

GREECE. The public has been more indebted to the editor of the "Aurora," for geographical information, so necessary to a correct understanding of the character and importance of events, than to all the rest of us. He has lately furnished some highly interesting views of the history and condition of Turkey in general, derived from the best authorities, and last week published some numbers with special reference to the present state of Greece. The following extracts from one of these, contain matters of much interest just now.

"The modern divisions of Greece exist no where but in the maps of the geographer: and it is only by reference to the ancient landmarks that we can recognize, under the name of *Livadia*, the most celebrated countries of the refined Greeks.—Athens, Megara, Beotia, Phocis, Doris, Locris, Etolia, Acarnania, Argos, Lemnos, as well as Euboea, and the adjacent isles, are all within the pachalik of Livadia.

"The surface of Greece contains only about 19,000 square miles, of which northern Greece contains 7000, Macedon 6500, Epirus from Drilo to the gulph of Arta, 5500.

"Athens is in 37° 58' north lat. Corinth 37° 56' and Salonichi the ancient Salonica, which is now the capital of Macedon, and the metropolis of Grecian commerce, is in 40° 42' north latitude.

"The population of Macedonia is about 700,000 souls. Zagora presents the *maximum* and the Morea or ancient Peloponnesus, and Epirus, or Albania, the minimum of the population of Greece. Ancient Thessaly contains about 300,000 souls, and Epirus, which is double the surface, has only 400,000. Etolia, Phocis and Beotia have scarcely 200,000, and the territory of Attica does not exceed 20,000. The surface of the Morea is about 3,000 square miles, but its population does not exceed 300,000; and Greece, taken altogether, does not exceed 2,000,000.

"Macedonia, Thessaly, the eastern part of Phocis and Beotia, are fertile countries. Attica is of a light soil. But the Morea is susceptible of the highest cultivation. Epirus is mountainous and not much cultivated.

"The agricultural products of Macedonia are more valuable than the whole of Greece besides.

The industry of the people is in the following progression. Thessaly, the most industrious, next Macedonia, Epirus, the Morea, Attica, and lastly Beotia—part of Beotia, Phocis and Locris have no species of manufactures.

"As in Asia Minor, the country is deserted for the greater security of cities, thought not to the same extent as in Asiatic Turkey. Thus one half of the fine country of Macedonia lies uncultivated, and its capacity is shewn by the quantity of its products, under so baleful a system of oppression. The climate of Greece is every where admirable, and has a powerful influence on the human species, by giving vigor and fruitfulness; and is equally active in the vegetable as the animal creation. It is truly the country of Pyrrha and Deucalion—men seem to grow up like the trees in the forest, and the stones thrown upon the earth, seem to be converted into men—nature has done every thing for Greece, but the Turks have defaced, deformed and despoiled nature.

"Vegetable productions are every where in Greece of the finest quality, and abundantly supplied by the smallest industry—oranges, lemons, citrons, almonds, olives, pomegranates, grapes, figs, and grain of every kind for food of man. The cotton of Greece is abundant, as is the tobacco of Macedonia, both of which enter to a vast extent into commerce; of which we may take some further notice."

Of the contest between the Greeks and the Turks, the editor well remarks—"To the Greeks we owe, perhaps, the first and finest features of European civilization—the fair sex, perhaps, owes more to the Greeks than to any other people, and it is not the least of the interesting considerations involved in the contest between the Greeks and Turks, that a triumph over the Ottomans, is a victory gained for the female sex, to the full extent of the countries that shall be extricated from the Moslem authority. Every female must pray for the overthrow of that people, whose system degrades that being who is the solace of life and the guardian and cherisher of infancy."

The nature of the government of European Turkey is thus described, after mentioning that Greece was divided by Murad II. into "feudal districts, under the titles of Pachaliks, Moussemliks, Vaivodaliks and Agaliks, the titles progressively signifying or indicating degrees of magnitude or authority"—each province being "independent in its administration and responsibility of the governor of any other province, and all accounting, or bound to account, to the members of the divan, at the imperial capital; where justice is administered according to the number of purses offered at the footstool of a tyrant! A purse is about 500 American dollars."

"As in all despotisms, the caprice of the tyrant is the will of the law; and as the variety of character has no positive rule beside the will to govern, the system itself has been changed in some instances from an annual to a life tenure, or to a nominal perpetuity. This has occurred in the Vaivodaliks of Moldavia, Wallachia, and the Adriatic provinces, and in some parts of Greece; and in some instances, as in Asiatic Turkey, the scymitar of the pacha, Waivode, or Aga, has been frequently found too sharp for that of the sultan, who has often made a virtue of necessity, and submitted to the unreal dependence, rather than recognize a complete separation. The Ghavrinos of Macedonia held many Agaliks in this way; the Albanian pacha Ali, of Janina, not only held his province, but extended his authority into the bosom of Macedonia. The Servian,

Bosnian, and the Wallachian chiefs, have maintained frequent contests. The pachas of Scutari have established hereditary titles in the same way; and the bey of Seres and Melenuk, in upper Macedonia, and those of Zigna and the Katherin, in lower Macedonia, hold a permanent power in the same manner."

"* * It may here be well just to refer the reader to a brief article inserted in the last volume of the REGISTER, page 241—which gave the whole population of European Turkey at 9,482,000, of whom 5,000,000 were supposed to profess the Greek religion, and, in the present contest, are all called Greeks, though that people, properly so called, as above stated, does not exceed two millions. The rest of the aggregate is made up of the inhabitants of Wallachia, Moldavia, Bulgaria, &c. The whole, however, have a common interest at stake, and all are impelled to resistance by every principle that can operate on the human heart—the preservation of life, the safety of their persons from brutal violence and outrage, the right to property and the enjoyment of their religion, to say nothing of the ordinary political considerations which have produced such mighty revolutions in the world.

Gen. Jackson's Address to the Army.

HEAD QUARTERS, DIVISION OF THE SOUTH,

Montpelier, 31st May, 1821.

This day, officers and soldiers, closes my military functions, and, consequently, dissolves the military connection, which has hitherto existed between you and myself, as the commander of the southern division of the army of the United States. Many of us have passed together days of toil and nights of vigilance. Together, we have seen the termination of one British and two Indian wars, in which, we have encountered fatigues, privations and dangers. Attachments and friendships, formed by associations of this kind, are the most durable, and my feelings will not permit me, in retiring from my military command, to take a silent leave of my companions in arms.

Justice to you and to my own feelings, requires that I should place before our common country, the testimony of my approbation of your military conduct, and the expression of my individual regard. Under the present organization for the reduction of the army, agreeably to the act of congress, many valuable officers, who have served with me, have been suddenly deprived of the profession which they had embraced, and thrown upon the world. But let this be your consolation, that the gratitude of your country still cherishes you as her defenders and deliverers, while wisdom condemns the hasty and ill timed policy which has occasioned your disbandment, and that too, while security was yet to be given to our extensive frontier, by the erection of the necessary fortifications for its defence, greatly extended as that frontier has been by the recent acquisition of the Floridas. But you, fellow soldiers, have that which cannot be taken from you, the consciousness of having done your duty, and with your brother officers who are retained, of having defended the American eagle wherever it was endangered.

To you, my brother officers, who are retained in the service of your country, permit me to recommend the cultivation of that harmony and friendship towards each other, which will render you a band of brothers. It is your duty so to conduct yourselves on all occasions, as that your enemies shall have no just cause for censure. It ought to

be borne in mind, that every captain, should be to his company as a father, and should treat it as his family—as his children—continue, then, as heretofore, when under my command, to watch over it with a father's tenderness and care. Treat them like children, admonish them, and if unhappily, admonition will not have the desired effect—coercion must. The want of discipline and order, will, inevitably, produce a spirit of insubordination, as destructive to an army as cowardice, and will as certainly lead to disaster and disgrace in the hour of battle: this, as you regard your military reputation and your country's good, you must prevent. Imploping from Heaven a blessing upon you all, I bid you an affectionate adieu.

ANDREW JACKSON,
*Major general, commanding
the division of the south.*

NOTE My official duties having prevented the promulgation of this order until this time, an opportunity has been afforded of seeing the "General Order" dated "Head quarters of the army of the United States, Washington city, June 1st, 1821," signed "Jacob Brown." Justice to the officers of the southern division, as well as to myself, compels me to offer some remarks upon the following extract from that order.

"The prevalence of desertion has been an evil of serious magnitude, and it does not appear to be justified by a view of the past condition of the military establishment. All research in this field for its causes has been unsatisfactory. The character of the military profession is honorable; the soldier is as well provided with comforts as the citizen in common life, and his occupation is neither more offensive nor more laborious. There are restless, discontented spirits in every sphere of life, which no indulgence nor kindness can bind to stability; but these examples do not exist in sufficient number to justify the range desertion has taken in the army. The evil must be referred, in a degree to an undue severity; or to the absence of system in the conduct of officers towards their men. The officer is the depository of the rights of the soldier, and the obligation of his office, as well as the laws of honor and humanity, claim a faithful execution of the trust. When the soldier ceases to regard the officer as his protector, the authority with which the laws invest the latter, loses its efficacy in his estimation. The surest remedy for the evil of desertion, is contained in a rigid and steady discipline. To be salutary it must possess both these qualities; but no violation of law can be deemed essential to its enforcement. Its effect upon the soldier becomes impaired the moment he feels that the system which governs him is fluctuating in its course, or that it violates the principles upon which it is founded. The certainty of laws constitutes their principal efficacy, and, however severe restrictions may be, they are obeyed so long as they are dispensed by the hand of justice, and not of oppression."

This censure is too general to be just. The time at which it is made, and the source whence it comes, have astonished every generous soldier.

The part which attributes, "in a degree to an undue severity, or to the absence of system, in the conduct of officers towards their men," the unexampled prevalence of desertion in our army, so far as relates to the division of the south, I do unhesitatingly say, is not founded in fact. It is due to candor and truth, to attribute this evil to its real cause. This will be found to exist in the want of adequate punishment for the crime of desertion.

That prescribed by law, in a state of peace, transcends the offence, and no other certain punishment is authorized. While this is the case, desertion will increase, let the conduct of the officers towards their men, be ever so lenient. It is a well known fact, that more desertions have taken place at recruiting rendezvous, than have occurred in the regiments, and at no recruiting rendezvous in the division of the south, has there been, as far as I am informed, any punishment inflicted upon soldiers, excepting by the civil authority. It is well known, that in many instances, the soldier has found it a source of speculation to go from rendezvous to rendezvous, enlisting, receiving the bounty and deserting. In some instances, this has been practised from Boston to New Orleans.

The punishment at present inflicted for desertion, is hard labor with the ball and chain; but this bears more heavily upon the faithful soldier, who is compelled to guard the convict under a hot sun, with all his accoutrements on, than it does upon him whom it is intended to punish. Every desertion therefore, but adds to the duties, and increases the fatigues of the faithful and trusty soldier. And, suppose the convict will not labor, by what means is he to be coerced? Stripes and lashes are prohibited; there are no dungeons; guard houses are pleasant places for the lazy worthless soldier, who sleeps and snores, while the faithful centinel is at his post, on his nightly watch, guarding him. Is not this, with the general pardons so frequently extended by the orders of the president, calculated to cause the best soldiers, who are oppressed with double duty in guarding the worst, to meditate desertion also?

The government must annex an adequate and certain punishment for the crime of desertion; and, experience compels me to say it, although at variance with the more refined and sensitive feelings of the day—must restore corporal punishment in the regulations for the government of the army, as it formerly existed, and as it now exists in the navy, or desertion and insubordination will still increase. But it is said to be dishonorable. Why should it be more so in the army, than in the navy? Is it more dishonorable to receive twenty-five stripes and be ordered to immediate duty, than to be marched with chains for months and years, an object of disgust to every freeman who sees him, more properly an appendage of ancient despotism, than any thing belonging to republican institutions? Let the deserter in time of peace, for the first offence, receive thirty-nine stripes; for the second, double that number, and for the third let him feel the highest penalty of the law. I will venture to say, that a few examples will put an end to that extraordinary frequency which at present prevails, and the cause of which, has been so unjustly imputed "to an undue severity, or to the absence of system in the conduct of officers towards their men."

I sincerely regret the cause which has given rise to these remarks, but the reputation of those officers, in common with whom I have encountered so many toils and dangers, is dear to me; and I cannot remain silent, when I perceive an unjust attempt to tarnish their well earned fame, let the motives which dictated the objectionable passage in the order, be what they may. These remarks, my brother officers, flow from a pure source of justice to you. Popularity I have never sought. I have pursued the course which I deemed right, and have done justice to all according to my best judgment; this, I trust, I have rendered to you

all, during the time I had the honor to command you—and that happiness may attend you all, and that your country may duly appreciate your worth, as her citizen soldiers, shall be my last and most sincere prayer.

ANDREW JACKSON.

21st July, 1821.

Coronation of George IV.

The doors of the hall were thrown open at between three and four o'clock of the morning of the 19th of July—it was nearly half filled by six, chiefly by ladies most splendidly dressed, and decked with a profusion of jewels; at about this time the queen attempted an entrance and was refused, as is officially stated below. At $\frac{1}{2}$ past 7, the kings *herb woman*, with several attendants, made a procession through the hall, scattering flowers. At 9, the names of the peers, &c. who were to assist in the ceremony, were called over. At 10, the great officers of state, bishops, judges and nobles entered, followed by the king and his immediate suite. All else that was done is sufficiently stated in the following

Official account of the ceremonies observed at the royal coronation of his most excellent majesty, king George the fourth, on Thursday, July 19, 1821.

The several persons who walked in the procession assembled at eight o'clock in the morning, in the following places, viz.

In the house of lords.—Their royal highnesses the dukes of the blood-royal in their robes of estate, having their coronets, and the field marshals their batons, in their hands. The peers in their robes of estate, having their coronets in their hands. His royal highness the prince Leopold, in the full habit of the order of the Garter, having his cap and feathers in his hand. The archbishops and bishops, vested in their rochets, having their square caps in their hands.

In his place near the bar.—The gentleman usher of the Black Rod.

In the space below the bar of the house of lords.—The train-bearers of the princes of the blood-royal. The attendants on the lord high steward, on the lord chancellor, the lord high constable, and on the lord chamberlain of the household.—The gentleman ushers of the White and Green Rods, all in their proper habits.

In the painted chamber, and adjacent rooms near the house of lords.—The lord chief justice of the king's bench; the master of the rolls; the vice-chancellor; the lord chief justice of the common pleas; the lord chief baron; the barons of the exchequer, and justices of both benches; the gentlemen of the privy-chamber; the attorney and solicitor-general; sergeants at law; masters in chancery; the lord mayor, alderman, recorder, and sheriff's of London; king's chaplains, having dignities; six clerks in chancery.

In the chamber formerly the house of lords.—The knights Grand Crosses of the order of the Bath, in the full habit of the order, wearing their collars; their caps and feathers in their hands.—The knights Commanders of the said order, in their full habits; their caps and feathers in their hands. The officers of the said order, in their mantles, chains, and badges.

In the chamber formerly called the prince's chamber, or robing-room, near the former house of lords.—The treasurer and comptroller of the household; the vice chamberlain; the marquis of Londonderry, in the full habit of the order of the Garter, having

his cap and feathers in his hand; the register of the said order, in his mantle, with his book; privy counsellors, not being peers or knights Grand Crosses of the Bath; clerks of the council in ordinary

In his majesty's robing-chamber, near the south entrance into Westminster-hall.—The train-bearers of his majesty; master of the robes; groom of the robes.

In the room of the chairman of committees, adjoining the house of lords.—Lords and grooms of the bed-chamber. The keeper of the privy purse. Equeries and pages of honor. Gentlemen ushers and aids-de-camp.

In the witness-room, adjoining the house of lords.—Physicians, surgeons, and apothecaries.

In the house of commons and the lobbies.—Officers of the band of gentlemen pensioners with their corps, and the serjeant at arms. The officers of the yeomen of the guard, with their corps.

In the lobby, between the house of lords and the painted chamber.—The king's heralds, and pursuivants of arms.

In Westminster-hall, at the lower end, near the great north door.—The sixteen barons of the cinque ports, in their proper habits, with the canopy.

In Westminster-hall, near the north door.—The knight marshal and his two officers, in their proper habits.

In Westminster-hall, at the lower end.—His majesty's band.

Without the north door of Westminster-hall.—All who are to precede the knight marshal in the procession.

His majesty was in his chamber, near the south entrance into Westminster-hall.

The peers were then called over in the house of lords by deputy Garter; and proceeded to the hall, where the other persons appointed to walk in the procession had been previously marshalled on the right and left, by the officers of arms; leaving an open passage in the middle, so that the procession with the regalia passed uninterruptedly up the hall.

His majesty, preceded by the great officers of state, then went into the hall and took his seat in the chair of state at the table, when a gun was fired. The deputy lord great chamberlain, the lord high constable, and the deputy earl marshal, then ascended the steps, and placed themselves at the outer side of the table.

The lord high steward, the great officers, deputy Garter, and Black Rod, arranged themselves near the chair of state; the royal train-bearers on each side of the throne.

The lord chamberlain, assisted by officers of the jewel-office, then brought the sword of state to the lord high constable, who delivered it to the deputy lord great chamberlain, by whom it was laid upon the table; then curta, or the sword of mercy, with the two swords of justice, being in like manner presented, were drawn from their scabbards by the deputy lord great chamberlain, and laid on the table before his majesty; after which the gold spurs were delivered, and also placed on the table. Immediately after, a procession, consisting of the dean and prebendaries of Westminster, in their surplices and rich copes, proceeded up the hall, from the lower end thereof, in a manner following:—

PROCESSION with, and DELIVERY of the REGALIA.

Sergeant of the vestry, in a scarlet mantle.

Children of the king's chapel, in scarlet mantles, four abreast.

Children of the choir of Westminster, in surplices, four abreast.

Gentlemen of the king's chapel, in scarlet mantles, four abreast.

Choir of Westminster, in surplices, four abreast.

Sub-dean of the chapel royal.

Two pursuivants of arms.

Two heralds.

The two provincial kings of arms.

The dean of Westminster, carrying St. Edward's crown on a cushion of cloth of gold.

First prebendary, carrying the ark.

Second prebendary, carrying the sceptre with the dove.

Third prebendary, carrying the sceptre with the cross.

Fourth prebendary, carrying St. Edward's staff.

Fifth prebendary, carrying the chalice and patina.

Sixth prebendary, carrying the Bible.

In this procession they made their reverences, first at the lower end of the hall, secondly about the middle, where both the choirs opening to the right and left, formed a passage, through which the officers of arms passing, opened like-wise on each side, the senior placing themselves nearest towards the steps: made their third reverence. This being done, the dean and prebendaries having come to the foot of the steps, the deputy Garter proceeded thence, (he having waited till their coming there), ascended the steps, and approaching near the table before the king, made their last reverence. The dean then presented the crown to the lord high constable, who delivered it to the deputy lord great chamberlain, and by him it was placed on the table before the king. The rest of the regalia were severally delivered by each prebendary, on his knee, to the dean, by him to the lord high constable, by him to the deputy lord great chamberlain, and by him laid on the table.

First, St. Edward's staff, by the marquis of Salisbury.
Second, the spurs, by the lord Cathorpe, as deputy to the baroness Grey de Ruthyn.

Third, the sceptre, with the cross, by the marquis Wellesley.
Fourth, the pointed sword of temporal justice, by the earl of Galloway.

Fifth, the pointed sword of spiritual justice, by the duke of Northumberland.

Sixth, curtains, or sword of mercy, by the duke of Newcastle.

Seventh, the sword of state, by the duke of Devon.

Eighth, the sceptre, with the dove, by the duke of Rutland.

Ninth, the orb, by the duke of Devonshire.

Tenth, St. Edward's crown, by the marquis of Anglesea, as lord high steward.

Eleventh, the patina, by the bishop of Gloucester.

Twelfth, the chalice, by the bishop of Chester.

Thirteenth, the Bible, by the bishop of Ely.

The two bishops who supported his majesty were then summoned by the deputy Garter, and ascending the steps, placed themselves on each side of the king.

PROCESSION TO THE ABBEY.

The second gun was then fired, and the procession moved upon blue cloth spread on the platform, from the throne in Westminster-hall to the great steps in the abbey church, the following anthem, "O Lord, grant the king a long life." &c. being sung in parts, in succession with his majesty's band playing, the sounding of trumpets, and the beating of drums, until the arrival in the abbey.

Order of the procession.

The king's herb woman with her six maids, strewing the way with herbs.

Messenger of the college of arms, in a scarlet cloak, with the arms of the college embroidered on the left shoulder.

The dean's beadle of Westminster, with his staff.

The high constable of Westminster, with his staff, in a scarlet cloak.

Two household sifes with banners of velvet fringed with gold, and five household drummers in royal livery, drum-covers of crimson velvet, laced and fringed with gold.

The drum-major, in a rich livery, and a crimson scarf fringed with gold.

Eight trumpets in rich liveries: banners of crimson damask, embroidered and fringed with gold, to the silver trumpets.

Kettle-drums, drum-covers of crimson damask, embroidered and fringed with gold.

Eight trumpets in liveries, as before.

Sergeant trumpeter, with his mace.

The knight marshal, attended by his officers.

The six clerks in chancery.

The king's chaplains having dignities.

The sheriffs of London.

The aldermen and recorder of London.

Masters in chancery.

The king's sergeants at law.

The king's ancient sergeant.

The king's solicitor general. The king's attorney general.

Gentlemen of the privy chamber.

Sergeant of the vestry of the chapel royal. Sergeant porter.

Children of the choir of Westminster, in surplices.

Children of the chapel royal, in surplices, with scarlet mantles over them.

Choir of Westminster, in surplices.

Gentlemen of the chapel royal, in scarlet mantles.

Sub-dean of the chapel royal, in a scarlet gown.

Prebendaries of Westminster, in surplices and rich copes.

The dean of Westminster, in a surplice and rich cope.

Pursuivants of Scotland and Ireland, in their tabards.

His majesty's hand.

Officers attendant on the knights commanders of the Bath, in their mantles, chains, and hedges.

Knights commanders of the Bath, not peers.

Officers of the order of the Bath, in their mantles, chains, and hedges.

Knights Grand Crosses of the Bath, not peers, in the full habit of their order, caps in their hands.

A pursuivant of arms, in his tabard.

Barons of the exchequer, and justices of both benches.

The lord chief baron of the exchequer.

The lord chief justice of the common pleas.

The vice-chancellor. The master of the rolls.

The lord chief justice of the king's bench.

The clerks of the council in ordinary.

Privy councillors, not peers.

Register of the order of the Garter.

Knights of the Garter, not peers, in the full habit and collar of the order, caps in their hands.

His majesty's vice chamberlain.

Comptroller of his majesty's household.

Treasurer of his majesty's household, bearing the crimson bag with the medall.

A pursuivant of arms in his tabard.

Heralds of Scotland and Ireland, in their tabards and collars of SS.

The standard of Hanover, borne by the earl of Mayo.

Barons, in their robes of estate of crimson velvet, their coronets in their hands.

A herald, in his tabard and collar of SS.

The standard of Ireland, borne by lord Beresford.

The standard of Scotland, borne by the earl of Lauderdale.

The bishops of England and Ireland, in their rochetts, with their caps in their hands.

Two heralds, in their tabards and collars of SS.

Viscounts, in their robes of estate, their coronets in their hands.

Two heralds in their tabards and collars of SS.

The standard of England borne by lord Hill.

Earls in their robes of estate, their coronets in their hands.

Two heralds in their tabards and collars of SS.

The Union standard, borne by earl Harcourt.

Marquises, in their robes of estate, their coronets in their hands.

The lord chamberlain of his majesty's household, in his robes of estate, his coronet in his hand, attended by an officer of the jewel office, in a scarlet mantle, with a crown embroidered on his left shoulder, bearing a cushion, on which are placed the ruby ring and the sword to be girt about the king.

The lord steward of his majesty's household, in his robes of estate, his coronet in his hand.

The royal standard, borne by the earl of Harrington.

King of arms of the Ionian order, of St. Michael and St. George, in his tabard, crown in his hand.

Gloicester king of arms, in his tabard, crown in his hand.

Hanover king of arms, in his tabard, crown in his hand.

Dukes, in their robes of estate, their coronets in their hands.

Ulster king of arms, in his tabard, crown in his hand.

Clarenceux king of arms, in his tabard, crown in his hand.

Norray king of arms, in his tabard, crown in his hand.

The lord privy seal, in his robes of estate.

The lord president of the council, in his robes of estate, coronet in his hand.

Archbishops of Ireland.

The archbishop of York, in his rochet, cap in his hand.

The lord high chancellor, in his robes of estate, with his coronet in his hand, bearing his purse, and attended by his purse bearer.

The lord archbishop of Canterbury in his rochet, cap in his hand.

Two sergeants at arms.

THE REGALIA.

St. Edward's staff, borne by the marquis of Salisbury.

The third sword, borne by the earl of Galloway.

The gold spurs, borne by lord Cathorpe.

Curtains, borne by the duke of Newcastle.

The sceptre, with the cross, borne by the marquis Wellesley.

The second sword, borne by the duke of Northumberland.

Two sergeants at arms.

Usher of the Green Rod. Usher of the White Rod.

The lord mayor of London, in his gown, collar, and jewel, bearing the city mace.

The lord Lyon of Scotland, in his tabard, carrying his crown and sceptre.

Garter principal king of arms, in his tabard, bearing his crown and sceptre.

Gentleman usher of the Black Rod, bearing his rod.

The deputy lord great chamberlain of England, in his robes of estate, his coronet and his white staff in his hand.

His royal highness the prince Leopold, in the full habit of the Order of the Garter, carrying in his right hand his baton as field marshal, and in his left his cap and feathers.

His royal highness the duke of Sussex, in his robes of estate, with his coronet in his hand, and his train borne by

His royal highness the duke of Clarence, in his robes of estate, with his coronet in his hand, and his train borne by

His royal highness the duke of York, in his robes of estate, carrying in his right hand his baton as field marshal, and his coronet in his left, and his train borne by

The high constable of Ireland, in his robes, coronet in his hand, with his staff.

The high constable of Scotland, in his robes, coronet in his hands, with his staff.

Two sergeants at arms.

THE KING.

In his robes, supported by the bishops of Oxford and Lincoln.

On the arrival of the procession at the abbey, the herb woman and her maids, and the sergeant-porter, remained at the entrance within the great west door; the drums and trumpets filed off to their gallery over the entrance door.

The choirs of the chapel Royal and of Westminster immediately proceeded, with his majesty's band, to the organ gallery; and on his majesty's entering the abbey, the choirs commenced singing the anthem, "I was glad when they said unto me, we will go into the house of the Lord," &c.

The prebendaries and dean of Westminster filed off to the left, about the middle of the nave, and there awaited the king's coming into the church; when they again fell into the procession next before the king of arms, who preceded the great officers.

That part of the procession, preceding the knights commanders of the Bath, knights Grand Crosses of the said order, and their officers, the clerks of the privy council in ordinary, the privy councillors, the register of the Garter, vice chamberlain, comptroller and treasurer of his majesty's household, and peers, were conducted to their seats by the officers of arms.

The prebendaries of Westminster went to their places near the altar.

The sergeant at arms went to their places near the theatre.

The standards were delivered by the bearers of them to pages at the entrance of the choir, and resumed and borne in the return.

The princes of the blood royal were conducted to their seats as peers.

The prince Leopold took his seat in the royal box.

The barons of the Cinque Ports bearing the canopy and the gentlemen pensioners, remained at the entrance of the choir.

The king then ascended the theatre, and passed on the south side of the throne to his chair of state on the east side thereof, opposite the altar; and after his private devotion (kneeling down upon the faldstool), took his seat, the two bishops, his supporters, standing on each side; the noblemen bearing the four swords on his right hand, the deputy lord great chamberlain and the lord high constable on his left; the great officers of state, the deputy earl marshal, the dean of Westminster, the noblemen bearing the regalia, trainbearers, with deputy Garter, the lord Lyon, the lord mayor of London, and Black Rod, standing about the king's chair.

The recognition. Upon the conclusion of the anthem, the lord archbishop of Canterbury, together with the lord chancellor, the deputy lord great chamberlain, the lord high constable, and deputy earl marshal, preceded by deputy Garter, then moved to the east side of the theatre, where the archbishop made the recognition, and repeated the same at the south, west, and north sides of the theatre; during which his majesty stood, and turned towards the people on the side on which the recognition was made; the people replied to this demand with loud and repeated acclamations of "God save king George the fourth;" and at the last recognition, the trumpets sounded, and the drums beat.

His majesty was then seated; and the Bible, the chalice, and patina, were carried to and placed upon the altar by the bishops who had borne them in the procession.

The two officers of the wardrobe then spread a rich cloth of gold, and laid a cushion of the same for his majesty to kneel on, at the steps of the altar. The archbishop of Canterbury then put on his cope, and the bishops, who sang the litany, were also vested in their copes.

The offering. The king, attended by the two bishops his supporters, the dean of Westminster, and the noblemen bearing the regalia and the four swords, then passed to the altar; where his majesty, uncovered, and kneeling upon the cushion, then made his first offering of a pall or altar-cloth of gold, which was delivered by the lord chamberlain, to the deputy lord great chamberlain, and by his lordship to the king, who delivered it to the arch-

bishop of Canterbury, by whom it was placed on the altar. The treasurer of the household then delivered an ingot of gold, of one pound weight, being the second offering, and the deputy lord great chamberlain who presented the same to the king, which his majesty delivered to the archbishop, and was by him put into the oblation basin. His majesty continuing to kneel, the prayer, "O God who dwellest in the high and holy place," was said by the archbishop. At the conclusion of this prayer, the king arose, and was conducted to the chair of state on the south side of the area. The regalia, except the swords, were then delivered by the several noblemen who bore the same, to the archbishop, and by his grace to the dean of Westminster, to be laid on the altar, the noblemen returning to their places.

The litany was then read by two bishops, vested in copes, and kneeling at a faldstool above the steps of the theatre, on the middle of the east side thereof. Then the beginning of the communion service was read; and after it a sermon by the archbishop of York. During the sermon his majesty wore his cap of state, and sat in his chair on the south side of the area, opposite the pulpit, his supporters the deputy lord great chamberlain, and the noblemen carrying the swords, standing by him: the archbishop of Canterbury took his seat in a purple velvet chair, on the north side of the altar, deputy Garter standing near him; the bishops on their benches, along the north side of the area; the dean and prebendaries of Westminster standing on the south side of the area, east of the king's chair, and next the altar.

The oath. The sermon being concluded, the archbishop of Canterbury advanced to the king, to administer the coronation oath; the king then arose from his chair of state, and, attended by his supporters, and the deputy lord great chamberlain, went uncovered to the altar, where, kneeling upon the cushion, laid on the steps, and placing his hand on the holy Gospels, his majesty took the oath, and added thereto his sign manual, the lord chamberlain of the household holding a silver standish for that purpose.

The king returning to his chair, the following hymn was sung, the archbishop reading the first line, "Come, holy ghost our souls inspire," &c.

The anointing. Upon the conclusion of the hymn, the archbishop read the prayer preparatory to the anointing. ("O lord, holy father, who, by the anointing of oil, didst of oil make and consecrate kings, priests and prophets." &c.) At the conclusion of this prayer, the choirs sang the following anthem: "Zadock the priest," &c. During this anthem, the king was disrobed of his crimson robes by the deputy lord great chamberlain, who delivered them to the master of the robes; and his majesty taking off his cap of state, the deputy lord great chamberlain, delivered the same to the lord chamberlain; and the robes and cap were immediately carried into St. Edward's chapel—the robes by the groom of the robes, the cap by the officer of the jewel-office. St. Edward's chair (covered with cloth of gold) having been placed in front of the altar, his majesty took his seat therein to be anointed; when four knights of the Garter, summoned by the deputy Garter, held over the king's head a rich pall or cloth of gold, delivered to them by the lord chamberlain, the dean of Westminster standing by, holding the ampulla containing the consecrated oil, and pouring some into the anointing spoon, the archbishop then anointed his majesty on the head and hands, in the form of a cross,

pronouncing the words, "be thy head anointed," &c. "be thy hands anointed," &c.

The king then kneeling, the archbishop, standing on the north side of the altar, pronounced the benediction. The knights of the Garter delivered the pall to the lord chamberlain.

The investing with the supertunica. The dean of Westminster then received from the officers of the wardrobe, the supertunica of cloth of gold, and a girdle of the same for the sword, with which the dean arrayed his majesty.

The spurs. After this the dean took the spurs from the altar, and delivered them to the deputy lord great chamberlain, who, kneeling down, touched his majesty's heels therewith, and returned them to the dean, by whom they were laid upon the altar.

The sword. The nobleman who carried the sword of state, now delivered it to the lord chamberlain, and in return, received another sword in a scabbard of purple velvet, which his lordship delivered to the archbishop, who laid it on the altar, and said the prayer, ("hear our prayers, O Lord, we beseech thee; and so direct and support thy servant, king George, who now is to begirt with the sword.")

The archbishop, assisted by other bishops, then delivered the sword into the king's right hand, saying, "receive this kingly sword," &c. His majesty standing up, the deputy lord great chamberlain then girded his majesty with the sword. The king being again seated, the archbishop repeated "remember him of whom," &c.

Offering of the sword. The king, then rising up, ungirded the sword, and went to the altar, where his majesty offered it in the scabbard (delivering it to the archbishop,) and then retired to his chair; the sword was then redeemed for one hundred shillings by the nobleman who first received it, and who carried it during the remainder of the solemnity; having first drawn it out of the scabbard, and delivered the latter to an officer of the wardrobe.

The investing with the mantle and armil. The king then standing, his majesty was invested by the dean with the imperial mantle, or Dalmatic robe of cloth of gold, delivered to him by the officers of the wardrobe; and his majesty was then invested, in like manner, with the armil, the archbishop pronouncing the exhortation, "receive this armil as a token of the divine mercy embracing you on every side."

The orb. The king then sat down, and the archbishop having received the orb from the dean, delivered it into the king's right hand, saying, "receive this imperial orb."

His majesty then returned the orb to the dean, who laid it upon the altar.

The ring. The lord chamberlain then delivered the ruby ring to the archbishop, which his grace put on the fourth finger of the king's right hand, the archbishop saying, "receive this ring," &c.

The dean then brought from the altar the two sceptres with the cross and dove, and delivered them to the archbishop.

In the mean time, the lord of the manor of Worksoop presented his majesty with a pair of gloves, embroidered with the arms of Howard, which his majesty put on.

The sceptres. The archbishop then delivered the sceptre of the cross into his majesty's right hand, saying, "receive the royal sceptre," &c.; and then the sceptre with the dove into his left hand, saying, "receive the rod of equity," &c.

The lord of the manor of Worksoop supported his

majesty's right arm, and held the sceptre as occasion required.

The crowning. The archbishop stood before the altar, and having St. Edward's crown before him, took the same into his hands, and consecrated and blessed it with the prayer, "O God, who crownest thy faithful servants with mercy," &c. Then the archbishop, assisted by other bishops, came from the altar, the dean of Westminster carrying the crown, and the archbishop took, and placed it on his majesty's head, while the people, with loud and repeated shouts, cried "God save the king!" the trumpets sounding, the drums beating; and the tower and park guns firing by signal. The acclamation ceasing, the archbishop pronounced the exhortation, "Be strong and of a good courage," &c. The choirs then sang the following anthem, "The King shall rejoice in thy strength," &c.

As soon as the king was crowned, the peers put on their coronets, the bishops their caps, and the kings of arms their crowns.

The holy Bible. The dean then took the holy Bible from the altar, and delivered it to the archbishop, who, attended by the rest of the bishops, presented it to the king, and said, "our gracious king," &c. &c.; the king returned the bible to the archbishop, who gave it to the dean, which was by him replaced on the altar.

The archbishop then pronounced the benedictions, the bishops and the peers answered each benediction with a loud amen. The archbishop then, turning to the people, said, "and the same, Lord God Almighty grant," &c. The king then kissed the archbishops and bishops, who knelt before him. The *Te deum* was sung, during which time the king removed to the chair on which his majesty first sat, on the east side of the throne.

The enthronization. The *Te deum* being ended, the king was then enthroned by the bishops and peers; and the archbishop pronounced the exhortation, "stand firm, and hold fast," &c.

The homage. The archbishop of Canterbury then knelt before the king, and, for himself and the other lords spiritual, pronounced the words of homage, the bishops kneeling around him, and saying after him. The archbishop then kissed his majesty's left cheek, and the rest of the bishops after him, and retired. Then the duke of York ascended the steps of the throne, took off his coronet, knelt before the king, and, for himself and the other dukes of the blood royal, pronounced the words of homage, the rest putting off their coronets, knelt with him and about him, and said after him. The duke of York then touched the crown upon his majesty's head, and kissed his majesty's left cheek, the rest of the dukes of the blood royal after him, and retired. The dukes and other peers observed the same, the senior of each degree pronouncing the words of homage, and the rest of the same degree saying after him, and each peer of the same degree, successively, touched his majesty's crown, and kissed his majesty's left cheek, and then retired.

During this time, the treasurer of his majesty's household threw about the medals of the coronation.

During the homage, the sceptre, with the cross, was held on the king's right hand by the lord of the manor of Worksoop; and the sceptre, with the dove, by the duke of Rutland.

The holy sacrament. After the homage, the two bishops, who had read the epistle and gospel, received from the altar, by the hands of the archbishop, the patina and the chalice, which they carried

into St. Edward's chapel, and brought from thence the bread upon the patina and the wine in the chalice. His majesty then descended from the throne and went to the altar, where, taking off his crown, his majesty delivered it to the lord great chamberlain to hold. Then the bishops delivered the patina and chalice into the king's hands, and his majesty delivered them to the archbishop, who reverently placed the same upon the altar, covering them with a fair linen cloth. His majesty then received the sacrament, the archbishop administering the bread, and the dean of Westminster the cup.

The choir then sang the last anthem, "blessed be thou, Lord God of Israel," &c.; and, at the conclusion, the trumpets sounded, the drums beat, and, amidst the acclamations of the assembly, the king put on his crown, and, taking the two sceptres in his hands, again ascended the throne, and sat there, supported and attended as before, until the conclusion of the post communion service and the blessing.

After which his majesty, attended as before, descended into the area, and passed through the door on the south side of the altar, into St. Edward's chapel; and the noblemen who had carried the regalia received them from the dean of Westminster as they passed by the altar.

The king being come into the chapel, and standing before the altar, delivered the sceptres to the archbishop, who laid them upon the altar. The rest of the regalia were delivered to the dean, and laid by him on the altar.

Then the king was disrobed of his royal robe of state, and arrayed in his royal robe of purple velvet, by the deputy lord great chamberlain.

The archbishop delivered the sceptre with the cross into his right hand and the orb into his left. The dean delivered the sceptre with the dove to the nobleman who had before carried, and now bore it in the returning procession.

As soon as the king had gone into St. Edward's chapel, the officers of arms began to call over and arrange the procession for the return to Westminster-hall; and, at the moment when his majesty came out of the chapel, the procession moved forward in the following order; except that the noblemen who, in the former procession, had borne the gold spurs and St. Edward's staff, left in St. Edward's chapel, and the orb and the sceptre with the cross, borne by his majesty, walked in their due places, according to their degrees in the peerage:

THE RETURN TO WESTMINSTER HALL.

Messenger of the college of arms.

High constable of Westminster.

File and drums, as before

Drum major

Eight trumpets

Kettle drums

Eight trumpets

Serjeant trumpeter

Who, on arrival in the hall, immediately went into the gallery over the triumphal arch.

Serjeant porter.

Knight marshal and his officers.

Six clerks in chancery.

King's chaplains.

Sheriffs of London.

Aldermen and recorder of London.

Masters in chancery.

King's serjeants at law.

King's ancient serjeant.

King's solicitor general—King's attorney general.

Gentlemen of the privy chamber.

Barons of the exchequer, and justices of both benches.

Lord chief baron of the exchequer—lord chief justice of the common pleas.

Vice chancellor—master of the rolls.

Lord chief justice of the king's bench.

Pursuivants of Scotland and Ireland.

Officers attendant on the Knights commanders of the Bath, wearing their caps.

Knights commanders of the Bath, wearing their caps.

Officers of the order of the Bath, wearing their caps.

Knights Grand Crosses of the order of the Bath, wearing their caps.

A pursuivant of arms.

Clerics of the council in ordinary.

Privy councillors.

Register of the order of the Garter.

Knight of the Garter, not a peer, wearing his cap and feathers.

His majesty's vice chamberlain.

Comptroller of the household—treasurer of the household.

A pursuivant of arms.

Heralds of Scotland and Ireland.

The standard of Hanover, borne by the earl of Mayo.

Barons, wearing their coronets.

A herald.

The standard of Ireland, borne by lord Beresford—the standard

of Scotland, borne by the earl of Lauderdale.

Bishops, wearing their caps.

Two heralds.

Viscounts, wearing their coronets.

Two heralds.

The standard of England, borne by lord Hill.

Earls wearing their coronets.

Two heralds.

The union standard, borne by earl Harcourt.

Marquises, wearing their coronets.

The lord chamberlain of the household, wearing his coronet.

The lord steward of the household, wearing his coronet.

The royal standard, borne by the earl of Harrington.

King of arms of the Ionian order of St. Michael and St. George, wearing his crown—Gloucester king of arms, wearing his crown—

Hanover king of arms, wearing his crown.

Dukes, wearing their coronets.

Ulster king of arms, wearing his crown.

Clarence king of arms, wearing his crown.

Norroy king of arms, wearing his crown.

The lord privy seal, wearing his coronet.

The lord president of the council, wearing his coronet.

Archbishops of Ireland, wearing their caps.

Archbishop of York, wearing his cap.

Lord high chancellor, wearing his coronet, and bearing his purse.

Archbishop of Canterbury, wearing his cap.

Four serjeants at arms.

The third sword, borne by the earl of Galloway, wearing his coronet.

Curtana, borne by the duke of Newcastle, wearing his coronet.

The second sword, borne by the duke of Northumberland, wearing his coronet.

Usher of the Green Rod.

Usher of the White Rod.

The lord mayor of London.

The lord Lyon of Scotland, wearing his crown.

Garter principal Black Rod.

King of arms, wearing his crown.

The deputy lord great chamberlain, wearing his coronet.

His royal highness the prince Leopold, wearing his cap and feathers, and his train borne as before.

His royal highness the duke of Gloucester, wearing his coronet and his train borne as before.

Ais royal highness the duke of Cambridge, wearing his coronet, and his train borne as before.

His royal highness the duke of Sussex, wearing his coronet, and his train borne as before.

His royal highness the duke of Clarence, wearing his coronet, and his train borne as before.

His royal highness the duke of York, wearing his coronet, and his train borne as before.

The high constable of Ireland.

The high constable of Scotland, wearing his coronet.

Four serjeants at arms.

The deputy earl marshal, wearing his coronet.

The sword which had been redeemed, borne naked by the duke of Dorset, wearing his coronet.

The lord high constable, wearing his coronet.

The lord high steward, wearing his coronet.

The sceptre with the dove borne by the duke of Rutland, wearing his coronet.

20 gentlemen pensioners, with the standard bearer.

THE KING,

in his robes of purple velvet,

furred with ermine, and the

crown of state on his head, bearing

in his right hand St. Ed. of Lincoln,

ward's sceptre with the cross, wearing

and in his left the orb, with the

cross, under his canopy, supported

as before, and his train as before.

20 gentlemen pensioners, with the standard bearer.

Captain of the yeoman of the guard, wearing his coronet.

Gold stick of the life guards in waiting, wearing his coronet.

Captain of the band of gentlemen pensioners, wearing his coronet.

Lords of the bedchamber.

The keeper of his majesty's privy purse.

Grooms of the bedchamber.

Equeries and pages of honor.

Aides-de-camp.

Gentlemen ushers.

Physicians. Surgeons. Apothecaries.

Ensign of the yeomen of the guard.

Lieutenant of the yeomen of the guard.

His majesty's page.

20 gentlemen pensioners, with the lieutenant.

His majesty's footmen.
 Exons of the yeomen of the guard.
 Yeomen of the guard.
 Exons of the yeomen of the guard.
 Gentleman harbinger of the band of gentlemen pensioners.
 Clerk of the cheque to the yeomen of the guard.
 Clerk of the cheque to the gentlemen pensioners.
 Yeomen of the guard to close the procession.

As the procession entered the hall, the fifes, and drums, and trumpets went to their gallery, and the several other persons composing it were directed to their respective places by the officers of arms.

On entering the hall, the barons of the cinque ports, bearing the canopy, remained at the steps. His majesty then ascended the elevated platform, and retired into his chamber near the state.

The company at the tables then sat down; and the barons of the cinque ports carried away the canopy as their fee.

THE DINNER.

Dinner being ready, his majesty, wearing his crown, and carrying the sceptre with the cross, and the orb, and attended and supported and his train borne as before, came out of his chamber, preceded by the deputy lord great chamberlain, and the four swords being borne before him, took his seat in the chair of state.

FIRST COURSE.

The first course was served in the following order.

Six attendants on the clerk comptroller.
 Two clerks of the kitchen, in black gowns.
 The clerk comptroller, in a velvet gown, trimmed with silver lace.
 Three clerks of the board of green cloth, in scarlet mantles.
 The secretary of the board of green cloth.
 The master of his majesty's household.
 The comptroller of his majesty's household.
 The treasurer of his majesty's household.
 Four sergeants at arms, with their maces.
 Three great officers of state, mounted on horses richly caparisoned.

The deputy earl marshal of England, bearing the earl marshal's staff, and his coronet on his head, attended by a page.
 The lord high steward, with his white staff, his coronet on his head.

The lord high constable, with the constable's staff, and his coronet on his head, attended by two pages.
 Four sergeants at arms, with their maces.
 Gentleman pensioners, bearing the dishes of meat.

The dinner was placed on the table by his majesty's two clerks of the kitchen.

The deputy lord great chamberlain, with his majesty's cupbearer, the earl of Abingdon, and his assistant, the earl of Verulam, being preceded by Black Rod, received from the officer of the jewel house the gilt basin and ewer for his majesty to wash, attended by the lord of the manor, Heydon, with a towel. The king rising, and delivering his sceptre to the lord of the manor of Worksope, and the orb to the bishop standing on his left hand, the cupbearer poured out the water upon his majesty's hand, the lord of the manor of Heydon holding the towel.

The dean of the chapel royal then said grace; and his majesty having taken his seat, the bishops, his supporters, retired to their dinner.

On the king's right hand stood the lord of the manor of Worksope, holding the sceptre; next to him, on the same side, the lords bearing the four swords; on his majesty's left hand, the duke of Devonshire with the orb, and next to him the deputy lord great chamberlain, and next to him the duke of Rutland, bearing the sceptre with the dove.

At the end of the table on the king's right hand, were seated their royal highnesses the dukes of York, Clarence, and Sussex; and on his left hand the dukes of Cambridge and Gloucester, and the prince Leopold of Saxe Coburg.

The duties of his majesty's carver were performed by the earl of Denbigh; and those of the assistant carver by the earl of Chichester. The duties

of his majesty's sewer were performed by the earl of Mount Edgcombe; and those of the assistant sewer by the earl of Whitworth.

Then the deputy appointed by the lord of the manor of Addington presented the mess of dilligout, prepared by the king's master cook.

The lord of the manor of Wymondly, in Hertfordshire, assisted by the king's cupbearer and his assistant, received from the officer of the jewel house, and kneeling, presented to his majesty a silver cup, containing wine; and his majesty having drank thereof, returned the cup to him for his fee.

The duke of Argyll, as great master of the household of Scotland, then presented a gold cup of wine; and his majesty having drank thereof, returned the cup to him for his fee.

THE CHALLENGE.

Before the second course, the deputy appointed to officiate as king's champion, for the lord of the manor of Scrivelsby, in Lincolnshire, entered the hall on horseback in a complete suit of bright armor, between the lord high constable and deputy earl marshal, also on horseback, in the following manner:—

Two trumpets, with the champion's arms on their banners.
 The sergeant trumpeter, with his mace on his shoulder.
 Two sergeants at arms, with their maces on their shoulders.
 The champion's two esquires, in half armor, one on the right hand bearing the champion's lance, the other on the left hand, with the champion's target, and the arms of Dymoke depicted thereon.

A herald, with a paper in his hand containing the challenge.
 The deputy earl marshal on horseback, in his robes and coronet, with the earl marshal's staff in his hand, attended by a page.
 The champion, on horseback, in a complete suit of bright armor, with a gauntlet in his hand, his helmet on his head; adorned with a plume of feathers.

The lord high constable, in his robes and coronet, and collar of his order, on horseback, with the constable's staff, attended by two pages.

Four pages, richly apparelled, attendants on the champion.

At the entrance into the hall, the trumpets sounded thrice, and the passage to the king's table being cleared by the knight marshal, the herald, with a loud voice, proclaimed the champion's challenge, in the words following:

"If any person, of what degree soever, high or low, shall deny or gainsay our sovereign lord king George the fourth of the United kingdom of Great Britain and Ireland, defender of the faith, son and next heir to our sovereign lord king George the third, the last king deceased, to be right heir to the imperial crown of this united kingdom, or that he ought not to enjoy the same, here is his champion, who saith that he lieth, and is a false traitor; being ready in person to combat with him, and in this quarrel will adventure his life against him on what day soever he shall be appointed."

Whereupon the champion threw down his gauntlet; which, having lain a short time upon the ground, the herald took up and delivered again to the champion.

They then advanced to the middle of the hall, where the ceremony was again performed in the same manner.

Lastly, they advanced to the steps of the throne, where the herald, and those who preceded him, ascended to the middle of the steps, proclaimed the challenge in the like manner, received it again from the herald, made a low obeisance to the king: whereupon the cup bearer, having received from the officer of the jewel house, a gold cup and cover filled with wine, presented the same to the king, and his majesty having drank to the champion, sent to him the said cup, which the champion, having put on his gauntlet, received, and having made a low obeisance to the king, drank of the wine; after which, making another low obeisance to his majesty, and being accompanied as before, he departed

out of the hall, taking with him the said cup and cover as his fee.

PROCLAMATION OF THE STYLES.

Immediately after, Garter, attended by Clarendoux, Norroy, Lyon, Ulster, and the rest of the officers of arms, proclaimed his majesty's styles in Latin, French, and English, three several times; first upon the uppermost step of the elevated platform, next in the middle of the hall, and lastly at the bottom of the hall, the officers of arms, before each proclamation, crying "largesse" in the usual manner.

SECOND COURSE.

The second course was then served up with the same ceremony as the first.

SERVICES IN PURSUANCE OF CLAIMS.

Then the lord of the manor of Nether Bilsington presented his majesty with three maple cups.

The office of chief butler of England was executed by the duke of Norfolk, as earl of Arundel, and lord of the manor of Keninghall, who received a gold basin and ever as his fee.

Dinner being concluded, the lord mayor and twelve principal citizens of London, as assistants to the chief butler of England, accompanied by the king's cupbearer, and assistant, presented to his majesty wine in a gold cup; and the king having drank thereof, returned the gold cup to the lord mayor as his fee.

The mayor of Oxford, with the eight other burgesses of the city, as assistants to the lord mayor and citizens of London, as assistants to the chief butler of England, in the office of butler, were conducted to his majesty, preceded by the king's cupbearer, and having presented to the king a bowl of wine, received the three maple cups for his fee.

The lord of the manor of Lyston, pursuant to his claim, then brought up a charger of wafers to his majesty's table.

The duke of Atholl, as lord of the Isle of Man, presented his majesty with two falcons.

The duke of Montrose, as master of the horse to the king, performed the office of sergeant of the silver scullery.

The lord of the barony of Bedford performed the office of almoner; and the office of chief larderer was performed by the deputy of the earl of Albemarle.

HOWARD OF EFFINGHAM.

Acting for the earl marshal of England.

CORONATION OATH.

The following is the coronation oath of the British kings, with an account of the manner of administering it. It is very remarkable for the care which it takes of the *priests* and the *church*, so called, on which their fat livings depend. We give it as a curiosity, to close our narrative of these mummeries.

Sermon being ended, the king uncovers his head, and the archbishop repairs to his majesty, and asks him—"Sir, are you willing to take the oath usually taken by your predecessors?" And the king answers, "I am willing."

Then the archbishop ministers these questions; to which the king (having a book in his hand) answers as followeth:—

Archbishop.—Sir, will you grant and keep, and by your oath confirm to the people of England, the laws and customs to them granted by the kings of England, your lawful and religious predecessors; and namely, the laws, customs, and franchises granted to the clergy by the glorious king St. Edward, your predecessor, according to the laws of God,

the true profession of the gospel established in this kingdom, and agreeing to the prerogative of the kings thereof, and the ancient customs of this realm?

King.—I grant and promise to keep them.

Archbishop.—Sir, will you keep peace and godly agreement entirely, according to your power, to the holy church, the clergy and the people?

King.—I will keep it.

Archbishop.—Sir, will you, to your power, cause law, justice, and discretion, in mercy and truth, to be executed in all your judgments?

King.—I will.

Archbishop.—Sir, will you grant to hold and keep the rightful customs which the commonality of this your kingdom have? And will you defend and uphold them to the honor of God, so much as in you lieth?

King.—I grant and do promise so to do.

Then the petition or request of the bishops to the king is read by one of that sacred order, with a clear voice, in the name of the rest standing by.

"Our lord and king, we beseech you to pardon us, and to grant and preserve unto us and the churches committed to our charge, all canonical privileges, and due law and justice; and that you will protect and defend us, as every good king in his kingdom ought to be protector and defender of the bishops and churches under their government."

The king answers, "With a willing and devout heart, I promise and grant you my pardon; and that I will preserve and maintain to you, and the churches committed to your charge, all canonical privileges, and due law and justice: and that I will be your protector and defender to the utmost power, by the assistance of God, as every good king in his kingdom ought in right to protect and defend the bishops and churches under their government."

Then the king rises from his chair, and, being attended by the lord great chamberlain, and supported by the two bishops, and the sword of state carried before him, he goes to the altar, and laying his hand upon the Evangelists, takes the oath following: "The things which I have here before promised, I will perform and keep. So help me God, and the contents of this book;" and then kisses the book.

Official account of the queen's rejection.

QUEEN'S HOUSE, July 19, 1821.

"Her majesty set out from her house in South Audley-street, and, proceeding through the Parks to Westminster Abbey, went to Dean's yard, where her majesty got out of her carriage, in expectation of being allowed to enter, but was refused at two doors of entrance; and her carriage having drawn off, her majesty was obliged to wait in the passage till it was called back, when her majesty proceeded towards Poet's Corner, and again got out of her carriage in Old Palace-yard, and sought admittance by two temporary doors, which, upon her majesty's approach, were shut in her face; after which, some of the people pointed out the opening to the platform. Upon ascending this, her majesty was again obstructed by the police officers, till an officer, it is believed of the guards, politely allowed her majesty to cross the platform, and her majesty walked from thence to Old Palace-yard, and entered first the passage to Cotton Garden; after which her majesty proceeded along the covered way to Poet's Corner, and, when arrived at the door, was refused admittance without tickets; upon which lord Hood observed, he did not suppose the queen required a ticket of admission; to which one of the persons,

appointed for the admission of the company, observed, he did not know the queen, and positively forbade her majesty from entering; and one of the poor knights of Windsor came up and said there was no place for her majesty. Finding every effort to gain admittance ineffectual, her majesty returned to her carriage, and proceeded through Whitehall, Pall-mall, and St. James' street, Piccadilly, to her house, attended by an immense concourse of people, manifesting their respect to their queen, and expressing their indignation at the unexampled treatment experienced by her majesty. Although the different persons at the door of the Abbey were all under orders to say they did not know her majesty, it is to be observed that her majesty came in the royal state carriage, and that the guards, wherever she passed, presented arms."

Foreign Articles.

London papers of the 13th August.

GREAT BRITAIN AND IRELAND.

The king arrived at Dublin on the 12th August, and the papers are filled with accounts of his reception, &c. It was understood that his excursion would not be interrupted by the death of his wife, as noticed below.

The queen died on the 7th of August, after four or five days illness, in the 54th year of her age. The details of the progress and termination of her disease are very voluminous. It appears that, from the beginning of her illness, she expected to die, and she supported her condition with extraordinary dignity, as well as gentleness and submission. It is given out that her death was caused by an inflammation of the bowels, succeeded by mortification. She took leave of her friends and domestics with much tenderness—and to the sister of Mad. Dumont (yet in her service), she declared her perfect forgiveness of that woman's cruel falsehoods. She further said, alluding to her enemies, "they have destroyed me, but I forgive them." She made a will and disposed of her property, leaving the chief part of it to Mr. William Austin, with various legacies as tokens of her affection for different persons, and kindly remembering all her servants, who appear to have been enthusiastically attached to her. Her first desire was that she might be buried by the side of her daughter—thinking this would not be granted, it was her wish that her body might be taken to Brunswick and deposited near the remains of her father and brother; to be on its way thither *three days after her death—and she is said to have forbidden the opening of it, or that it should be made a show of.* Her features were so much distorted, that her servants who had not seen her exit, would hardly believe the fact of her death. "The doctors do not understand my malady," said she,—"it is here, (laying her hand upon her heart)—but I will be silent; my lips shall never make it known." There are very strong suspicions that she was poisoned—but wherefore it should have been so, we cannot see any reason. The ministers had given orders that her requests should be carried into effect, with much ceremony. The stores and houses in many parts of London and the adjacent places, were shut up.

She directed the following inscription to be engraved on her tomb-stone—"Caroline of Brunswick, the injured queen of England."

*Yet the question is already asked in the London papers—"Will the king marry again?"

Mr. Kean has re-appeared at Drury Lane theatre, and was received with applause. Prince Leopold was on a visit to Paris. Several persons were killed in a riot at Limerick fair, being fired upon by the military. Napoleon has bequeathed the snuff-box which he received of the pope, to lady Holland, as a testimony of remembrance and gratitude.

A man named Mitchel, 109 years old, lately married a girl of 19; a Mrs. Down, aged 77, married a boy of 16; and two blind persons were married to one another, the bridegroom having had five wives and the bride four husbands!

Stocks, Aug. 11—3 per cent. consols 70; American fives 100½; new sixes 99 to 103; bank shares, uncertain.

FRANCE.

A vessel which arrived at New-York a few days since, is supposed to have brought the copy of a commercial treaty between France and the United States.

The Americans in Paris celebrated the 4th of July as usual. G. W. Irving in the chair. Among the guests were the marquis de la Fayette and Mr. Gallatin. The customary number of toasts were drank with many volunteers, among them the following, given by general la Fayette—"American principles; may the cradle of genuine liberty become an universal frame for political institutions."

It is stated that preparations are making for crowning the king.

General Gourmand and colonel Fabvier, have presented a petition to the house of deputies, praying that the body of Bonaparte may be conveyed to France.

Gen. Bertrand has liberty to return to France: he, with the rest of the persons who composed the suite of Napoleon, recently arrived at Portsmouth, England—where none of them were permitted to land. The *Cæd* lion is feared.

The present numerical amount of the French army is 150,000 men, and might soon, including cavalry, independent of the royal guards, be raised to 250,000. The Swiss guards are estimated at 10,000 men.

SPAIN.

The revenue is uncommonly productive, and is collected with unprecedented regularity.

A London paper states that a very calm and dignified remonstrance has been made by the Spanish ambassador at Vienna, to count Metternich, complaining of the language applied by Austria to the Spanish constitution.

Effectual measures have been taken in Spain for the suppression of the convents and monasteries, and to prevent the secularization of the monks and nuns.

The famous robber and assassin, Alejo Sanz, a great royalist and instrument of the disaffected to produce a counter-revolution in Spain, has been captured near Roa, and would be speedily executed, to stop his career of countless crimes.

PORTUGAL.

The duty on British woollen goods has been raised from 15 to 30 per cent.

Lisbon, July 4. The king has sanctioned three decrees of the cortes—1st. Not to give employment to any foreigners without the consent of the cortes. 2d. Not to remove from their offices the military governors of Lisbon and Oporto, and the intendant of the police of Portugal. 3d. The conde de Palmella, and the court which the king has brought from Rio, shall not land from the vessel which has brought them, till further arrangements are made on this point.

ITALY.

Sicily remains in quiet possession of the Austrian army. Let the people "rejoice," the "legitimate sovereign is restored."

Some discontent is reported to prevail throughout Piedmont, on a supposition that the Austrian government meditates the appropriation of a part of that country.

PRUSSIA.

The state of this country seems to be unsettled, and letters from Berlin, of June 25, state a conspiracy, to introduce the Spanish constitution into Prussia, has been detected.

RUSSIA.

There is a Russian force of 54,000 men on the frontiers of Persia—a possession of some part of which seems to be much coveted by the "magnanimous Alexander."

A paragraph from Cronstadt states that the sailing of the Russian fleet was only for the customary tour of exercise in the Baltic.

TURKEY.

Pharsalia is occupied by a lieutenant of the archbishop of Pelion, who has put all the Turks to the sword! In consequence of events in Macedonia, the pacha of Salonica has raised the siege of Janina to return to his own immediate command, if he can reach it: about two-thirds of his troops had deserted, and the most of them joined Ali pacha. A letter, dated at Athens, May 15, says "the standard of the cross floats on the Parthenon:" the Turks had capitulated on condition of being sent to Negropont. The dey of Tunis has positively refused to assist the Turks with his fleet, as requested by the Porte; but some attempts to fit out a new fleet at Constantinople were making, for the purpose of manning which they were seizing upon certain of the Greeks. The pacha of Egypt has also refused his assistance.

The latest accounts do not contain many particulars worth relating—they generally shew that the prospects of the Greeks are brightening, that the Turks are increasing in their barbarities as the opposition to them becomes stronger; they have cut off the noses and ears of whole communities of unoffending Greeks! Ypsilanti has published a spirited proclamation to his army, and also prepared some *battle hymns* for his soldiers, after the manner of the ancients—one of them is adapted to the famous Marseilles Hymn, to which the French were indebted for several bloody victories. At the last terrible rencontre at Jamappe, it was sung by the whole advancing army of republicans, and their charge was irresistible.

Though nothing of a positive character has yet transpired, there is no doubt on our minds that Russia and Turkey are now at war, and that the former will be supported by Austria, serving as a check on other powers. There is a report that Alexander has left Petersburg for the Turkish frontiers, where his army is said to amount to 200,000 men. It is given out as a certainty, that he has decidedly approved of the proceedings of his minister at Constantinople, and, of course, understood that he will resent the insults that have been so imprudently heaped upon him by the Turks. The grand seignor is to place himself at the head of his army—the necessity of solemnly unfurling the standard of Mahomet, (round which all Musselmén are bound to rally), has been discussed.

Adrianople, the second city in European Turkey, and 125 miles from Constantinople, is reported to have fallen into the hands of the Greeks, after a bloody battle.

The Russian ambassador having removed to Bujukdere, was as a prisoner to the Turks—not being permitted to send or to receive any letters. The French minister, count de Lutzon, offered his mediation between the Russian minister and the divan, but it was declined by the latter. It is said that the Porte has made a formal statement to the ministers of other powers of his complaints against Russia; and it is reported that he has solicited the intervention of France and England, and refused that of Austria, as to these differences. A London paper of July 30, says—"The journey of lord Walpole to Vienna, has for its object, it is understood, to persuade Austria to concur with us in some measures to frustrate the views of Russia with respect to Turkey. France, it is said, is as much alarmed at the present aspect of affairs as our government, and ready to join with us and the government of Austria in the above object. It is wished to endeavor, if possible, to stop the advance of a Russian army on Constantinople, but at the same time to withdraw the Greeks from the dominion of the Turks; at all events, to obtain for them the independent possession of the Morea and the Greek islands."

It is stated in the latest papers that the Russian ambassador had escaped from Bujukdere to Odessa. The following is said to have been the substance of his ultimatum addressed to the Ottoman Porte, to which an assent was refused:—

"1. The Morea, lower Albania, Thessaly, the Littorale of Greece and the Islands, to remain under the sovereignty of the Porte, but free, and only occupied by the Greeks, who are to form a government similar to the Swiss cantons. The Turks residing in these parts to quit in six months, but to be allowed to sell their property.

"2. Upper Albania, Herzegovine, Bosnia, the line of mountains uniting these provinces to the right bank of the Danube, Bulgaria, and all Thrace, to remain under the dominion of the Turks, but the christians inhabiting these provinces to have liberty to pass into Greece on the same conditions granted to the Turks in the Greek provinces.

"3. Moldavia, Wallachia, and Servia, to receive a constitutional government, which shall deliver them forever from the influence of Boyars. These provinces to be entirely separated from the Ottoman empire, and to have a government under the protection of *two great powers*."

COLOMBIA.

Answer of the general congress of Colombia, to the liberator, president SIMON BOLIVAR, to his letter, renouncing the presidency of the republic.—[see page 31.]

PALACE OF THE CONGRESS,

At Rosario de Cucuta, 10th May, 1821.

Most excellent sir—The general congress of Colombia have received with infinite satisfaction, the expressions of honor and respect with which your excellency congratulates them, from your head quarters at Varinas, on their installation. The congress did not expect to receive other sentiments from him, who, either as the first magistrate of the republic, or as chief of its armies, has made it his profession to consecrate his life to the independence and happiness of his country. The congress cannot recollect without the most lively emotions of tender gratitude, that to the constant valor and perseverance of your excellency, aided by the glorious victories obtained by the worthy defenders of Colombia, as well as to the generous sacrifices of the people, the nation is indebted for being now nationally congregated, and in a situation to pro-

nounce, in a solemn manner, their own will. The memory of your excellency will always be united with the history of the national representation, and the laws will be as many remembrances of the triumphs with which the brave soldiers of the republic, commanded by your excellency, have fully accomplished the vows of the people, and have ensured the hope of their future prosperity. Such are the sentiments which, in the name and by the resolution of the congress, I have the honor to communicate to your excellency, in answer to your representations, and I fulfil the agreeable duty, when, by order of the same congress, I present to your excellency the expression of a profound acknowledgement for the great and indefatigable services for which the country is indebted to you. The congress is not indifferent to the reasons expressed by your excellency to be exempted from the presidency of the state, either from the incompatibility that your excellency feels between the office of first magistrate and that of commandant of the armies, or from other reasons of particular consideration. These reasons require a more mature reflection than that which the shortness of the time permits, besides the urgency with which the congress wishes to answer the congratulations of your excellency; reserving to themselves to weigh them to their full extent, whenever they shall judge it expedient, and let your excellency know immediately their deliberations. In the mean time the congress deems the continuation of the executive authority, in the person of your excellency, to be absolutely interesting to the welfare of the country; and penetrated with this sentiment, they expect from your excellency the sacrifice of your repugnancy in favor of the interest of Colombia by remaining in the exercise of your functions as president of the state. Thus it has been agreed upon by the congress, and they are persuaded that your excellency will add this new proof of your ardent zeal for the best services of your country, especially as the vice president residing in this capitol, executes the functions that your excellency cannot discharge, in consequence of your being at the theatre of war. In fine, the congress has nothing nearer their hearts at this moment than the ardent wish of seeing the important services of your excellency crowned in the present campaign, with a victory that may accelerate the term of your heroic contest, covering you with new glories, accompanied by the efforts of the troops under your command, they being the solid support of this national representation.—God preserve your excellency many years.

Most excellent sir,

FELIX RESTREPO,

President of congress.

The *Aurora* of the 17th inst. says—We have received some advices from Caracas, Santa Martha, and Cucuta, but too late for prompt perusal—the accounts from Cucuta, are to the first of August—congress had determined unanimously on three points

The perpetual union of Venezuela and Cundinamarca.

The establishment of a republican constitution on the fundamental principles of the sovereignty of the people and not of states—representation immediately proceeding from the general suffrage—responsibility of agents—and the freedom of opinion and the press.

The erection of a monumental column on the plains of Carabobo, to commemorate the eminent services of the soldiers of the country, and their gallant commander—and to hand

down to their posterity the names of Cedenio, Placas, and the other brave men who fell in the last great battle—and in the period of republican triumph.

President Bolivar retains his eminent station, and the disquietude excited by his intimated resignation had subsided. The congress had continued in the discussion of the fundamental principles of the government, and appear to have found some practical parts of the constitution of the United States, incompatible with their idea of a safe government for a free people. Such is the progress of the human mind, all the sciences are *progressive*; that of government has been the latest in improvement; but each improves by avoiding the errors and faults of those who preceded; we shall yet have to take lessons from those southern republicans of the new world.

RIO DE LA PLATA.

Our accounts from Buenos Ayres are to the 10th of July. Ramirez had been defeated, and the city enjoyed some portion of tranquility. Ramirez had fled to Carrera, who, at the head of 800 men, was besieging Cordova. When the affairs of these countries will be settled, no one can venture to say—there is no prospect of the establishment of order, at present. It is added, that the Portuguese have entire command of the river, and general Secoa, the governor, is deservedly very popular with the inhabitants of the interior. On the 13th July, delegates from the country will assemble at Monte Video to consider on the expediency of petitioning the allied sovereigns of Europe to allow them to be annexed with the Brazils.

It is to be apprehended that a large part of the disorders which have occurred in these provinces, has been caused by the pretensions of Buenos Ayres to a supremacy incompatible with republican principles.

CHILI.

Late advices from Chili state that a misunderstanding has taken place between O'Higgins, the director, and sir Thomas Hardy; the latter having demanded the discharge of some sailors who had volunteered in the Chilian navy, and had been refused. Lord Cochrane had detained thirteen sail of British ships for breach of blockade.

Gen. San Martin, with an army of 10,000 men, was encamped within thirteen leagues of Lima. He was to attack that city as soon as the rainy season had gone by. He had taken Pisco, where he found considerable money.

One letter says that sir Thomas Hardy had resolved not to respect the blockade of Peru, or even of Lima, and that he had gone in search of lord Cochrane's squadron—for what purpose is not intimated. It is stated that he will convoy British merchantmen to and from the port of Callao.

CUBA.

The deputies from this island have made an able remonstrance to the cortes against the new tariff. The cortes are plainly told, (says the National Gazette)—that if the application of the tariff to Cuba be persisted in, the island will be lost to the mother country. "We require," say the deputies, "the entire abrogation of the prohibitive laws as regards the trade of Cuba. It is for the interest of the Spanish monarchy, at large, that we should be subject to no commercial restrictions." They represent the whole population of the island, to be 630,980, of whom 225,268 are slaves. The whites amount to 296,921—the rest, 145,691, are free people of color. During the five years, from the beginning of 1815 to the end of 1819, the produce of

the island was exported in 11,679 vessels, which entered the port of Havana, and of which 2137 were Spanish, and the remainder 9542, foreign. Until the year 1796, Cuba had scarcely eight or ten coffee plantations. It has now in the province, or district of Havana alone, 779 principal coffee estates. The advances of the island, in every respect, from the year 1809, when the commerce of Havana was opened to all nations, were astonishing, and include the far greater part of the mass of its prosperity.

In continuation they say that the island has not a twelfth part of the population of which it is susceptible—they complain of the scarcity of slaves for agricultural labors. They allude to the introduction of such persons into Brazil, and say that the British West India islands are more amply supplied than Cuba. They ask in favor of foreign vessels, a reduction of the former duties; and an extension of the former privileges of Havana to the ports of Matanzas, Cuba, and Trinidad, of the same island. It is repeated, that submission to the new tariff, would be utter ruin to Cuba; "an island equivalent to a kingdom for Spain, and the loss of which, would forever destroy the Spanish dominion and influence in the new world."

HAYTI.

President Boyer has instituted a commission for public instruction, with extensive powers, and to be provided with ample means to carry its purposes into effect. What will be the condition of neighboring countries, when the blacks of this island so increase as to take a rank among nations, with talents, skill and force to cause their rights to be respected? It is an awful query. If Boyer lives only twenty years, and continues to go on with his present success, we must look for wonders.

MEXICO.

We have a detail of the siege of Vera Cruz, by the patriots. It lasted several days, and the city suffered much by it. An attempt was made to carry it by storm on the morning of the 7th of July—but the assailants were beaten off, with the loss of from 250 to 300 men, and several pieces of cannon, &c. After this, the siege was rather converted into a blockade, and supplies of provisions were not permitted to come in from the country—travelers however, were suffered to pass.

The capital is understood to have fallen into the hands of the independents. Indeed, it is said that all the kingdom is possessed by them, except Vera Cruz. The following was published in a paper of that city on the 5th of July, and credited there—

Mexico, July 5. I freely deliver the command, civil and military, of these kingdoms, on the respectable petition which the officers and expeditionary troops have presented to me, to Marechal de Camp Don Francisco Novella, with the understanding, that my person and family shall be safe, and that I have a competent escort and passport from the captain general to march the following day to Vera Cruz, on my way to Spain, leaving in charge the said Senor Novella with full power to make every disposition for the maintenance of public order and tranquility, and to confer in view of this surrender, with the authorities, as well ecclesiastical as civil and military, of the kingdom. COUNT VENADITO.

At New Orleans, on the 22nd ult. it was reported and believed that Vera Cruz had passed into the possession of the patriots, without much injury to the inhabitants or fighting between the opposite parties.

CHRONICLE.

Piracies, of the most horrid description, except that we have not yet heard of so many murders as might be expected, are numerous off the coast of Cuba, &c. We sometimes see accounts of two or three vessels being plundered as it were in a day. It appears that several of the United States' vessels are about to sail in quest of these freebooters—the tag-end of what was recently called privateering.

The late storm. Many lives, some hundreds we should suppose, were lost by the late storm, by reason of vessels being wrecked, capsized, &c. We have an account of one vessel being found by a sloop from Norfolk, bottom upwards, in which it was resolved to cut a hole to ascertain of what her cargo consisted; while at work at this, a faint voice was heard, the labor was renewed with increased vigor, and finally a colored woman drawn out, who informed her deliverers that all the rest (9 in number) had perished. The vessel turned bottom up immediately, and by some means she got into that part which is beneath the cabin, called "the run," from whence she was taken!

Senate of Maryland. The following is a correct list of the members of the senate of Maryland, recently elected, viz:

John Stricker, Isaac M'Kim, John Stephen, William Price, Joshua Cockey, Joseph Brownley, Daniel Kent, Robert W. Bowie, John Wooton, W. C. Miller, E. F. Chambers, William R. Steuart, Solomon Dickinson, Robert Orrell, and Wm. Quinton.

Virginia. A memorial is in circulation to remove the seat of the legislature of this state from Richmond, for the reason that that city is not within 100 miles of the centre of the white population.

Tennessee. All the old members of congress are re-elected from this state, viz: Messrs. Allen, Bryan, Cannon, Coke, Jones and Rhea.

Chain cables. The superiority of these cables was decisively proved in the late gale at New-York. Every vessel provided with them rode out the hurricane with safety. There is an extensive manufacture of them at Brooklyn.

Slaves. It is said to be common in Brazil, when a child is born of a slave, to have it destroyed or given away, the labor of the mother being preferred to the loss of nursing and rearing the child!—yet the people are called *christian*! — It is sometimes almost with pleasure, that we believe in a future state of punishment.

Chesapeake and Delaware. We understand that at a numerous meeting of the Philosophical Society, on Monday evening last, it was determined to revive the subject of a canal to unite the waters of the Chesapeake and Delaware bays—and a committee was appointed to examine and report upon the measures taken for this purpose, in the years 1798 and 9, and several subsequent periods. From the zeal and unanimity of the society, much may be expected towards the accomplishment of this most desirable work.—*Phila. Gazette.*

Monroe county, N. Y. contains 26,526 inhabitants, amply furnished with mechanics, &c. and having also several pretty extensive manufactures. The first settlement made within its boundaries, was in the year 1790—the second in 1796. Rochester village is its capital—the first building in it was erected in 1812. On the 1st August, 1820, it contained 1,502 souls; the exports from "port Genessee," in 1820, amounted to 67,468 bbls. of flour, with large quantities of ashes, beef, pork, bacon, whiskey, &c.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Sept.	22,	23,	24,	25,	26,	27,	28,
	3	0	2	2	2	2	2
	5	6	10	8	10	8	8
	8	6	12	10	12	10	10
	2	4	4	2	4	3	3
	1	2	0	1	1	6	0

Whole number of interments 63

FLOUR. It is with much pleasure that we have to inform our agricultural friends, of a handsome rise in the selling price of this commodity; *though we ourselves have to pay an advance of twenty-five per cent. on it.* It is now worth *six dollars per barrel* in Baltimore; and will, perhaps, fetch more a short time hence. It is probable that the expected rupture between Russia and Turkey, by which the immense supplies hitherto obtained from the Black sea will be cut off, may have chiefly caused the present rise of price. We shall not grumble at the *farmers* if it gets up to ten dollars per barrel—but rejoice with them.

PUBLIC DEBT OF THE UNITED STATES. The following is a summary view of the progress and present state of the public debt of the United States—

<i>Years.</i>	<i>Principal.</i>
In 1791	\$75,169,974 21
1792	76,373,767 16
1793	77,587,997 93
1794	75,996,170 56
1795	78,149,937 83
1796	81,642,272 96
1797	80,934,023 54
1798	78,494,165 75
1799	77,399,909 35
1800	81,633,325 74
1801	82,000,167 36
1802	78,754,568 70
1803	74,731,922 85
1804	86,353,643 22
1805	80,534,058 65
1806	74,542,957 62
1807	67,731,645 62
1808	64,742,326 26
1809	56,732,379 81
1810	53,156,532 64
1811	47,855,070 50
1812	45,035,123 70
1813	55,907,452 23
1814	80,986,291 65
1815	99,824,410 70
1816	123,016,375 09
1817	115,807,805 48
1818	99,107,346 95
1819	92,648,177 35
1820	88,899,333 57
1821	89,214,236 23
1822	(estimated) 94,500,000 00

[The preceding items, until the year 1816 inclusive, are taken from Seybert's Statistics--those for the years 1817, 1818, 1819 and 1820, from the several treasury reports,--and that for 1821 from the

report of the commissioners of the sinking fund, dated Feb. 6, in this year. The time is to be understood as on the first of January in each year stated.]

The debt on the 1st of Jan. 1821, appears to have consisted of--

Deferred stock	2,057,813 49
Three per cent. stock	13,295,946 44
Exchanged six per cent. do.	2,668,974 99
Six per cent. do. of 1796, ...	80,000 00
Ditto 1812, ...	6,187,006 84
Ditto 1813, ...	22,359,368 84
Ditto 1814, ...	13,011,237 63
Ditto 1815, ...	9,490,099 10
Treasury note six per cent. stock	1,458,473 50
Ditto seven do.	8,605,116 27

Five per cent. stock--subscription to

Bank United States,	7,000,000	00
Six per cent. of 1820,	2,000,000	00
Five per cent. of do.	990,999	13

89,214.236 23

Add residue of the Louisiana debt, which was payable on the 21st Oct. 1820, and not paid 1st Jan. 1821,	2,216,408 78
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91,430,645 01

There may have been some balances in the treasury to the credit of the commissioners of the sinking fund, to reduce the latter amount made up—we shall see how it was in the next treasury report. We have since borrowed 5,000,000 under the act of the last session of congress, and it is probable that there has been some small reimbursement of the deferred stocks—but the aggregate amount of the debt, we should suppose, cannot be less than 94,500,000, as estimated, besides, perhaps, considerable arrearages as to the disbursement of ordinary expenditures.

General and comparative views.

The steady decline of the amount of the public debt, from the year 1801 to 1812, inclusive, held out the prospect of its early extinguishment. In these twelve years it was actually reduced in the sum of thirty-seven millions, though fifteen millions had been added in consequence of the purchase of *Louisiana* in 1804—showing an aggregate redemption of debt of fifty-two millions, and leaving the amount only at forty-five millions; then came on the war, by which the debt was raised to 123 millions in 1816, though vast sums had been disbursed on account of it that did not enter the treasury books as items of the public debt, in the common use of the term and as it is used in the present case. A review of the state of the finances for the five years preceding the war, and in the five last (including the present to 31st Dec.) will afford much matter for reflection.

Revenue.		Revenue.	
1808	17,060,661	1817	32,896,623
1809	7,773,473	1818	21,060,171
1810	9,384,214	1819	23,925,356
1811	14,423,599	1820	20,249,637
1812	9,801,132	1821 (estimated)	16,550,000

\$58,443,009

\$114,681,787

In 1808 the public debt amounted to 64,742,326
1812 45,035,123

Reduced \$19,707,203
Which is nearly equal to ONE THIRD of the whole amount of the money received at the treasury.

In 1817 the public debt was 115,807,805
1821 (Dec. 30) it will be about 94,500,000

Reduced \$21,307,805
Or, equal to between a FIFTH and a SIXTH part only of the amount paid into the treasury. But seven millions were added to the debt, as subscription to the stock of the bank of the United States.

The reduction caused by the receipt of 58 millions is then 8,600,000 less than the amount of such reduction when the receipts were 115 millions: making a difference, in the cost of government, in the five years, in the enormous sum of *fifty millions*, or no less than ten millions of dollars a year! It must be admitted, that we were as well governed in 1808, &c. as we have been in 1817, &c. yet the amount received at the treasury in the latter period was *twice as much* as that in the former, and still the debt was reduced only as 28½ is to 19½. It is true, our population has considerably increased and our wants have also grown proportionally,—the interest on the national debt is likewise two and an half millions more than it amounted to in 1812; but these items being deducted or liberally allowed for, it will be seen that the right, regular expenses of government have been doubled or trebled since the period first named, which was the golden age of the republic: then there was no lack of profitable employment, and money was plenty though we had but few banks—then banks were honest, and the idea that one could fail was hardly entertained, though a few such failures had happened to the eastward—then bankrupts did not ride in coaches and live in palaces as they do now, and it was fashionable, at least, to preserve the appearance of honesty—then public officers were not almost the only persons that lived at their ease and prospered on their salaries, &c.

By the payment 58 millions in five years preceding the war, the people reduced the amount of the debt nearly twenty millions. By the payment of 115 millions since the war, they have reduced them a little more than 28 millions, though in the year 1816 they paid to government the mighty sum of 47,667,985 dollars! for taxes on imports, &c. the surplus of which, in part, went to the credit of redemption of stock for 1817: and the value of the imports, in that fatal year, must have amounted to about 150,000,000 dollars. It was estimated that, in that year, as great an amount of value in goods was received at the single port of New-York, as the exports of the whole United States produced!

The prodigality of government (in which I especially include the wild doings of congress) when thus viewed, is really astonishing. The idea never entered the mind of man, that the people of the U. S. could always pay to foreigners twice or thrice as much as foreigners paid to them—yet our finances were managed just as if such a state of things would forever exist! This is not an idle assertion—we shall prove it by references to official documents, which also will shew the wretchedness of of the present mode of raising a revenue, and the uncertainty that consequently belongs to our financial operations.

Notices of the messages of Mr. Monroe.

On the 2d of Dec. 1817. [Weekly Register, vol. XIII, page 237] the president told us that the excess

of the receipts over the expenditures would be 2,700,000, exclusive of the balance in the treasury; that the "whole of the Louisiana debt" might be redeemed in 1819 [paid off only a few weeks ago] and that about five millions of the sinking fund would remain (annually) unexpended until the year 1825, "when the loan of 1812," &c. would become payable. [The whole surplus of the sinking fund was taken in the year 1820, and seized upon without ceremony in 1821, to pay the current expenses of government.]

On the 17th Nov. 1818. [vol. XV, page 215] another flattering view of the state of our finances was presented—we had paid this and paid that, and he said—that "whilst the public expenditure will probably remain stationary, each successive year will add to the national resources, by the ordinary increase of our population, and the gradual development of our latent sources of national prosperity," [Yet we see that the "national prosperity," that is, the revenue, has declined from 21 millions in 1818, to 16 millions (estimated) in 1821.]

On the 7th Dec. 1819, [vol. XVII, page 238] the president speaks of "pecuniary embarrassments" in various parts of the union, alludes to a diminution of the "public receipts," and says that the report of the treasury will enable congress "to judge whether further provision is necessary"—[that is, to meet the current expenses; and, at this session the surplus of the sinking fund, with 3,000,000 borrowed, were used for these purposes.]

On the 14th Nov. 1820, [vol. XIX, page 189] the president congratulates the representatives of the people on the facility with which the sum of three millions of dollars had been borrowed, to help out the payment of the current demands on the treasury—and yet the Louisiana debt, which he observed might be redeemed in 1819, was not yet paid off, nor had any part of the debt become payable that was not calculated upon when he delivered his first message.

Notices of the annual reports of the secretary of the treasury.

In his report of the 5th Dec. 1817, Mr. Crawford appeared totally at a loss to know what to do with the surplus monies accruing to the treasury. He wished to anticipate the redemption of the Louisiana debt, [only just now paid], and to have liberty granted to the commissioners of the sinking fund to purchase the evidences of the public debt at rates above par, after redeeming all those parts the refunding of which might be forced upon the holders of the stock; and he spoke of the sinking fund in the most respectful and honorable terms—it would redeem, by its surpluses, the debt of nearly 19 millions, payable in 1825, as well as meet all other payments of the war-loans as they became due, in 1826, 1827 and 1828. Nay, he said "the WHOLE DEBT, INCLUDING the 5 per cent. stock, will be extinguished in the year 1830, except the 3 per cent. stock, which is not redeemable at the will of the government!" See vol. XIII, page 243.

On the 21st Nov. 1818—the secretary, though he did not suppose [in the preceding report] that taxes would be levied for the purpose of purchasing the public debt at prices above par, makes a special exhibit of the reduction of receipts caused by a repeal of the acts levying internal duties—but he told us that the amount derivable from the customs in that year (21 millions) "might be considered as the AVERAGE amount which will be received annually from that source of the revenue," [estimated by him to produce fourteen millions in 1821!] and concludes with plainly intimating that a resort "to temporary

loans or the issue of treasury notes," would possibly be necessary in 1819, in preference "to the imposition of new taxes, which would not be required after that year." See vol. XV, page 258.

On the 10th Dec. 1819—Mr. Crawford again refers to the repeal of the internal duties, &c. and shews the amount that they *deprived* the treasury of—and further speaks about the redemption of the Louisiana stock, estimating that the receipts of 1820 would be five millions less than the expenditure! and plainly intimates that, as the surplus of the sinking fund (which two years ago was to do such mighty things) would amount to five millions annually in the years 1821, 1822 and 1823—might be diverted from the purposes to which it was pledged—but he only hints at the thing—he did not know "if it was ALLOWABLE" under the act,* &c. but he further plainly says that "a loan to some extent will be necessary." [We shall see below what was done about the surplus of the sinking fund and the loan.] See vol. XVII, page 261.

On the 9th Dec. 1820—after the use of the surplus of the sinking fund and an exercise of the authority to borrow three millions, (yet the oft-mentioned Louisiana debt had not been paid, though sometime due), the balance against the treasury on the 31st of that month, was estimated in the sum of \$2,638,169 17—increased to 4,204,464 by his supplementary report! The estimates for 1821 are lugubrious enough—"a beggarly account of empty boxes." As the surplus of the sinking fund was used in the preceding year, the hitherto permanent appropriation therefor is not even honored with a notice—it is snatched up as a matter of right; and yet the deficit of the year, Mr. Crawford supposed, would amount to \$7,451,586 77,—reduced to \$4,658,463 63, by the supplementary report of 21st Dec. See vol. XIX, pages 228 and 299.

Notices of reports of the committee of ways and means.

Report of April 10, 1820. The committee shew that what are commonly called the war-loans would thus become payable:—

*The proceedings had in regard to this fund, are very remarkable. There are four principal things belonging to them that only require to be mentioned in succession, to shew how it has been handled:

1st. The fund was set apart as an amount solemnly pledged to pay the interest and redeem the principal of the public debt, and it is decidedly understood, if not absolutely directed, by the several acts on the subject, that its surpluses, if any there might be, should not be diverted from these purposes, *unless in the event of war between the United States and a foreign power.*

2d. We see that when the secretary of the treasury first darkly hinted at the grasping of the surplus of this fund to meet the ordinary expenses of government, in a time of profound peace, he doubted the power to do so—he did not know "IF IT WAS ALLOWABLE."

3rd. When, in April, 1820, the committee of ways and means recommended the use of the surplus of this fund, to purposes different from those to which they were solemnly appropriated, they seemed to be shocked at the necessity imposed,—and said, that they "DEPRECATED a recurrence to a like resort in future years."

4th. But in the next year, that is, the present, the sinking fund has been altogether disregarded—even the usual appropriation for it was neglected to be made! The laws which established it were, in fact, abrogated without even the formality of a repeal, and the fund has been strangled by mules, after the way of managing things in Turkey.

In 1825, ...	\$18,870,405 71
1826, ...	22,357,368 84
1827, ...	13,011,437 63
1828, ...	9,490,099 10

That the *surpluses of the sinking fund*, in the years 1820, 1821, 1822, 1823 and 1824 would amount to \$28,657,941 23, after discharging the interest on the public debt; and, paying such parts of that debt as were reimbursable or could be reimbursed, there would remain \$21,342,058 77 unemployed in those years—they suggest the use of the surpluses of 1820 for other purposes, in that year; but in recommending this proceeding "they deprecate a recurrence to a like resort in future years." They afterwards additionally asked for a loan of two millions—THREE were granted, and yet the treasury was *minus*, as stated in the secretary of the treasury's report of 1820, as noticed above. See vol. XVIII, page 141.

Report of Feb. 6, 1821. In this the committee do not at all refer to the annual appropriation of ten millions for the payment of the public debt, which always before stood at the head of the list!!! They broke it down the preceding year, and though they deprecate a like resort in future, they have not now even mentioned that such a thing ever existed, as I observe, much less make any estimate against the thing so deprecate ten months before!!! In fact, the boasted sinking fund—that part of the revenue set aside so solemnly for the redemption of the public debt about 17 or 18 years ago, and which was honorably applied to the purposes for which it stood pledged, was annihilated without the formality of a repealing act. "Can such things be?" Yes—they have happened—really happened, in this season of apathy and disregard of political truth—this "era of good feelings." We have yet much to say about these things; and hope that what we have said will be considered.

☞ A gentleman intimates that he has some important plan to offer, by which certain great evils that the people of the United States are subjected to, may be done away, and asks if we will insert his essays? We cannot promise this until we see them—but if they shall have a tendency (in our opinion), to produce the effects which he speaks of, he may rest assured that we shall publish them with pleasure.

MARITIME POWER, &c. If Russia shall now accomplish the darling object of Russian ambition, and drive the Turks into Asia, as it is probable that Alexander will do, for there is not any power that can stop him, especially as it seems evident that Austria is to have a share in the conquest—there will be a mighty revolution in the relative importance of nations, and great changes in the condition of the commercial and maritime world. There is already a powerful Russian fleet on the Black sea—let any one look at the map, and add to the productive regions on that sea, those on the shores of the sea of Asoph, the countries watered by the Danube, the Neister, the Neiper, and the Don, the whole of rich Turkey in Europe, including Greece and her luxurious islands, and think on the amount of commerce which the whole is susceptible of! It cannot be calculated—it is out of comprehension, its effects are beyond mortal ken. The Baltic fleet has rather been kept up as a royal pageant than for service to the state—fine ships have been built, to be equipped, to be looked at, and to decay, without ever leaving the neighborhood in which they were launched, and they are looked up six months in the

year by the ice; but when the splendid ports of the Black sea, &c. are under the same power that holds those at present possessed by Turkey, in Europe, which are among the best in the world and the most happily located, what may not be expected from Russia as a maritime nation? Greece abounds with excellent seamen, and the rightful, natural commerce of the countries spoken of, will, perhaps, give employment to 150 or 200,000 mariners, if a liberal government is established and industry encouraged and protected, as Alexander has protected it in the bordering countries belonging to him. The port of Odessa, hardly to be found on a map 25 years old, can export half as much grain as the United States have to spare, and yet the adjacent country is uncultivated compared with the old settlements in the temperate climates of Europe. Every one knows what Turkey, in general, is capable of—there can hardly be a better country, or one more advantageously seated for commercial purposes; and, if firmly seated at Constantinople, Alexander may easily raise up and sustain a naval force second only to that of Great Britain—superior to that of any other nation; may, be enabled to contend for the sovereignty of the ocean with the present Leviathan of the deep. The fear, hatred, and opposition of other powers to Napoleon, will probably establish, in Alexander, that inordinate lust of dominion which caused the downfall of the former; and, mainly inaccessible, Alexander may secure all that extent of influence over mankind which Napoleon aimed at. Under a regular government, whereby persons and property should be secured, the population of Turkey, including Greece, would, perhaps, be doubled in less than 20 years—for, as was happily observed in our last, “it is truly the country of Pyrrha and Deucalion—men seem to grow up like trees of the forest, and stones thrown upon the earth seem to be converted into men.” The greatest probable check to the power of Russia is within its own constitution and extent—for it is hardly possible, we should suppose, that in the present day so many widely scattered millions of men can be kept together and governed by one despotic head; but, before their separation into different nations, under different rulers and forms of government, it is quite reasonable to believe that G. Britain will be as zealously engaged to abridge or put down the sway of Alexander, as ever she was to check and destroy that of Napoleon. If Greece shall pass into the possession of Russia, a speedy quarrel may be expected about the Ionian islands, now under the *protection* of Great Britain, and as severely oppressed as the people of India are by that power. The inhabitants are chiefly Greeks—so discontented with their present condition as to be restrained only by the force of about 10,000 British soldiers; and when Greece shall be relieved of Turkish despotism, they will, no doubt, strive to throw off the hardly more tolerable government of England, and to come under the common government of their country and countrymen.

To understand the importance of what are now probable events, the reader must examine the map, and ascertain the capabilities of the countries spoken of. It may truly be said, that their resources are incalculable; and, no matter how it is effected, we shall exult at a complete expulsion of the Turks. In any event, society must be benefitted by a release from their destructive domination; and there is a possibility that the Greeks may, in that event, set up a government for themselves—“a consummation devoutly to be wished.”

If we are to judge by what we see in some of the London papers, the English are not a little alarmed at the progress and prospects of Russian aggrandisement—they talk of the necessity of an “immediate mediation” to save Turkey—it is the “policy of Great Britain and France,” they say, “to see the crescent still wave over the *port* of Constantinople,” &c. But it will not amount to any thing. If the heart of Alexander is fixed on this purpose, he will not suffer himself to be diverted from it. He can carry his point, and it must be expected that it will do it—if he himself so wishes it. Yet we see in one of these papers, the following article—we have no faith in such things just now; the prospect of war affects the *stocks*, and, when they are to be moved, all sorts of paragraphs are manufactured.—“Letters from Odessa to the recent date of the 17th July, have been received this morning, announcing that the communication between that place and Constantinople was again opened. General Wittgenstein and a great number of the officers of the Russian army remained at Odessa. The fear of hostilities appear to have entirely subsided.”

KEAN, THE PLAYER. Some were offended with us for our opinions of this *player-man*. Not to praise him—not to play fool about him, as was played on his first visit at Boston, was, by the loyal, thought to be a sort of treason against taste and British superior judgment. He has returned to England, and we do not wish “to look upon his like again!” He is very severely handled in several of the London papers; one of them says—“On Monday, Mr. Kean, whose squabbles with American managers have been as much protruded on the public as if they afforded grounds for another American war, re-appeared at Drury Lane as Richard III. The house was crowded, and his reception was as tumultuous as ‘in the olden times.’ His performance was also in the usual style, unintelligible drawls, great efforts, electrifying passages, and as a whole wanting truth and consistency. After the play, there was a speech of puerile egotism, Mr. Kean seeming to fancy himself not only the greatest actor that ever fretted this hour upon the stage, but as having some connexion with Garrick and Shakspeare, and being a sort of representative of England to the United States. All this is inconceivably ridiculous; but when the tragedy is done, the million look for a farce.”

CUBA. In our last we gave some interesting statistical particulars of this noble island—we shall briefly recapitulate them and add to them others since furnished, that a more general view of its capacity and products may be had.

Length—390 common leagues, breadth from 15 to 64; population—620,980, viz. 290,021 whites, 115,691 free people of color, and 225,268 slaves. The produce of the island exported in five years, from 1815 to 1819, were valued at 81,244,808 dollars, shipped in 11,679 vessels from Havana. These exports yielded a revenue to the state in that time of 18,284,797 dollars, or, annually, above 3,656,929 —if the other ports were opened, it is supposed the revenue would exceed *five millions a year!* The consumption of Havana, in the five years, was estimated at 24,445,150. Until the year 1796, the military and political expenses of the island were chiefly defrayed by receipts from Mexico—some of the fetters on its trade were then taken off, and it has proceeded to its present great production and importance: until the year just above stated, there

were only eight or ten coffee plantations—there are now 779 large estates where coffee is exclusively cultivated, in the district of Havana alone. It is estimated that the island is capable of maintaining a population of about *seven millions* of souls, or 12 times as many as at present inhabit it—vast districts of country being yet in a state of nature. There are very few manufactories in the island, unless those immediately connected with its agricultural products can be so called. To the preceding items we should have been glad to have added some account of the great city of *Principe*, about which we know little more than its name and location, though said to contain from 70 to 80,000 souls.

TOWNS IN KENTUCKY. A Lexington paper furnishes a list of all the towns in Kentucky, with the amount of their population, as ascertained by the late census—it includes, as towns, places that have even less than *ten* inhabitants, and the aggregate of the whole is 40,007—about a 14th part of the population of the state. The following are all the towns containing upwards of 500 inhabitants each:—

Bardstown, ...	814
Bowling green, ...	670
Cynthiana, ...	791
Danville, ...	654
Frankfort, ...	1,679
Georgetown, ...	1,056
Greensburg, ...	557
Harrodsburg, ...	539
Henderson, ...	532
Hopkinsville, ...	1,135
Lexington, ...	5,279
Louisville, ...	4,012
Maysville, ...	1,130
Mount Sterling, ...	623
Newport, ...	611
Paris, ...	1,000
Richmond, ...	725
Russellville, ...	1,712
Shelbyville, ...	892
Shippingport, ...	523
Springfield, ...	589
Versailles, ...	672
Washington, ...	786
Winchester, ...	531

The following contain between 4 and 500 souls: Columbia, Flemingsburg, Middletown, Millersburg, New Castle, Nicholasville, Shakers' Establishment.

The following between 3 and 400:—Lancaster, Morganfield, Port William, Princeton, Shepardsville.

The following between 2 and 300:—Augusta, Barbourville, Bucksville, Burlington, Carlisle, Covington, Eddyville, Elizabethtown, Glasgow, Greenville, Hardinsburg, Lebanon, Petersburg, Stanford.

FLORIDA.—We have been favored by an esteemed correspondent with the following description of the country and Indians about St. Augustine:—

Charleston City Gazette.

"Although St. Augustine can never become commercially important, having neither a back country to supply it with the materials for exports, nor a bar of sufficient depth to admit vessels of burden, it must yet attain to some consequence as a summer resort, both for health and pleasure, from the extraordinary salubrity and amenity of its climate.—Those who arrive here in an invalescent state, never fail to derive immediate benefit from its temperate and restorative air, while the gay and unoccupied may always pass there time agreeably in its polite and sociable society. The river St. Johns

affording greater facility for the entrance of ships, and being, from the directness of its course, a natural canal and the readiest channel for the conveyance of the produce of the country to market—a town of some consequence must soon arise upon the banks of that majestic stream. The rest of the eastern coast of the province is so indented with inlets and arms of the sea, that, with the aid of a canal of not more than fourteen miles, a safe inland navigation may be carried on, from the cape of Florida to the waters of Charleston harbor.

The cotton produced here is said to equal the best sea islands, in fineness and length of staple, while it exceeds the above in silkiness of texture, and has actually commanded a higher price in the markets abroad. Though there is much poor land in the province, the portion of it that is good, will, from the nature of the climate, produce a greater variety of staples, than soils of similar quality in any other part of the union. As most of it lies south of the Mississippi, where the sugar culture is so successfully prosecuted, there can be no doubt that it is well adapted to the growth of the latter article. I am informed, indeed, that many of the planters on the above river, already contemplate removal to the Suwaney, convinced of the superior advantages of the latter for the cultivation of the cane. The interior portion of the country, called the Satchawany is considered by competent judges, as the finest agricultural district within the limits of the United States, combining the advantages of a mild and healthy climate, a rich soil, and convenient navigation. It lies chiefly between the Suwaney and St. Johns, extending about a hundred miles in length, by fifty or sixty in breadth. Some settlements are already formed there.

But few of the Spaniards have removed since the exchange of flags, and all who remain seem well reconciled to the transfer, having been conciliated by the urbane conduct of our officers, and the liberal arrangements of the government. The Indians alone are dissatisfied and uneasy, having had the uncontrolled range of the interior ever since the Spaniards have been in possession of the country; the latter having, from indolence, confined themselves wholly to the towns on the seaboard. I had the perusal a few days ago, of a *TALK* which the chiefs of the Seminoles had transmitted here, to be sent on to Washington. They complain of the transfer having been made, without any notice of their claims, or stipulations in favor of their rights; and earnestly request to be informed as speedily as possible, of the footing on which they stand. They contend that they have never ceded any land to the west of the St. Johns, and they put in a pretty sweeping claim, the justice of which it would yet be difficult to deny. Though their logic will probably not make much impression at Washington, the eloquence of their appeal might well rebuke the genius of our own oratory. Adverting to the difference between their mode of life, and our own, as a plea in favor of a larger extent of country being allowed them, they observe: "The Americans live in towns, where many thousand people busy themselves within a small space of ground, but the Seminole is of a wild and scattered race; he swims the streams and leaps over the logs of the wide forest in pursuit of game, and is like the *whooping crane*,* that makes its nest at night, far from the spot where it dashed the dew from the grass and flower in the morning." In another passage, speaking of their ancient and prescriptive right to the

* *Wortola* is the Indian name for this bird.

soil; they say: "An hundred summers have seen the Seminole warrior reposing undisturbed under the shade of his live oak, and the suns of an hundred winters, have risen on his ardent pursuit of the buck and the bear, with none to question his bounds, or dispute his range."

"I had hitherto supposed (with many others), that the Indians were in general much indebted to the translators of their harangues, but this does not appear to be the case in the present instance. I conversed with the gentlemen who took down the above from the mouth of the interpreter; and he informed me that he has given it verbatim as he received it. He, in fact, makes no pretensions to those literary attainments which would have enabled him to impart the rhetorical coloring, which distinguishes many parts of the document in question. He informed me that he at one time intended leaving out the simile of the whooping crane, being unable to understand what it meant, from the ignorant bungling of the interpreter. In fact, there are some fine traits of genius and natural feeling in many of our Indian orations, which would lose more than they could gain by any interpreter."

W. H. S.

Judge Washington.

The following letter was addressed by Judge Washington to the editor of the (Baltimore) *Federal Republican*, and published in that paper on Monday last. From the manner in which the judge has viewed the subject, he has made me the principal in the matter, when, in fact, I only re-published extracts from the *Leesburg Genius of Liberty* and the *Baltimore Morning Chronicle*, (as is decidedly stated in the article he refers to), with a simple remark of my own, "hoping that there was some mistake" about the transaction. What he regards as the offensive or "additional statement," was not mine, or that of one of my correspondents, but plainly and positively said to be copied from the *Morning Chronicle*—and I am not a little surprized that the judge did not act upon the facts as presented to him: but it only goes to shew the truth of what I have always believed, that even judges of the supreme court of the United States may commit errors.

I do not say this with a view to relieve myself, in any degree, from the responsibility that belongs to the occasion, but to place the matter under view as it is. Every publisher is justly held accountable for his original articles, and relatively so for all else that he issues from the press—but our papers would be severely barren, if it was expected that we should always state the simple truth only. The German editors copy from the Russian, the British from the German, and we chiefly from the British, and so on. The amount of articles of intelligence, foreign or domestic, would be small indeed, in the contingency stated: and if what is said about judge Washington is erroneous, he should have laid the fact to the charge of the paper from which I stated that the article had been copied. It is of no importance to me, if any previous remarks on other subjects in the *REGISTER*, may have unwittingly displeased judge Washington, but on the present occasion, he had no cause to be so with me; and, though a judge, he has not rendered justice.

It is pleasant, however, to observe, that he has not thought himself superior to a trial at the bar of the public reason; and, if he has succeeded in vindicating his conduct from the charges preferred against him, as many think that he has (consi-

dering his peculiar situation), no one will rejoice at it more than myself, on account of the name that he bears, and as the proprietor of *Mount Vernon*—where the ashes of the father of his country repose, Jefferson county, Va. Sept. 18, 1821.

SIR—I received last night from Alexandria, your favor of the 11th inst. and I beg you to accept my best thanks for your generous offer of the columns of the *Federal Republican* for the purpose of refuting certain illiberal remarks, which have appeared in other journals of the day, respecting a sale of negroes which it was my good fortune to effect during the last month.

I had heard that this transaction had been noticed in a *Leesburg* paper, but in such a manner as to prove that the wound intended to be inflicted, was meant, not for me personally, but for the Colonization Society, through the president of that institution. *Niles' Weekly Register* of the 1st inst. which was sent to me by a friend on Saturday last, is the only paper which I have seen which contains even an implied censure of my conduct; and had the statement there made, corresponded with the truth, it would have passed by me unnoticed. It is for the sole purpose of correcting the misrepresentations which appear in that paper, that I am induced to avail myself of your offer; but before I do so, I take the liberty, on my own behalf, and on that of my southern fellow citizens, to enter a solemn protest against the propriety of any person questioning our right, *legal or moral*, to dispose of property which is secured to us by sanctions equally valid with those by which we hold every other species of property; and I have also to request that no expressions which I may inadvertently use, may be so construed, as to imply a justification of myself or others, whether members of the Colonization Society or not, for exercising this right. I acknowledge, at the same time, that if, in the exercise of it, I have disregarded the dictates of humanity, or unnecessarily given pain to those who were affected by it, my conduct is justly open to public reprehension.

I take no exception, *individually*, to the statement of the *Leesburg* paper. The simple fact that a sale was made of fifty-four negroes, to two gentlemen of Louisiana, is true. The covert attack upon the Colonization Society, the tendency and object of which, it would not be difficult to unfold, ought not, *in this way*, to have been made; but as this part of the subject may possibly be noticed by some member of that society, who has more time and better talents than myself to discuss it, I shall pass on to the additional statement to be found in *Niles' Register*, above alluded to.

How correct it was, in the person who made that statement, to visit *Mount Vernon* in my absence, and there to hold conversations with my negroes, upon the delicate topics which obviously caused his visit, or was the consequence of it, I submit to his own sense of propriety and to the public judgment to decide. But I surely have a right to complain, that he not only gave credit himself to the assertions of *such informers*, but that he should publish them to the world as *facts*, without first applying to me to admit, deny, or explain them. If he had rode one mile, to the house of my nearest neighbor, who is acquainted with every circumstance attending this transaction, he would have received such information as could not, I think, have failed to satisfy him of the falsity of the reports to which he had listened. With these observations, upon the conduct of this person, I proceed to notice his statement, the manifest object of which is, not to deny,

as it would seem, my *legal* right to dispose of this species of property, although he, as well as the editor of the Register, plainly questions a *moral* right in me, to exercise it, but to attach to my conduct the charge of inhumanity in the *manner* of doing it. The charge is, "that husbands had been torn from their wives and children, and that many relations were left behind."

If the writer of the above letter meant to insinuate that I had *voluntarily* separated husbands from their wives and children, he has been misled by false information. In making out the list of those negroes which, as it will presently appear, I was under the necessity of parting with, I took care so to arrange it, as to avoid the separation of families. There were three or four women in the number, whose husbands were the property of other persons: I immediately opened a negotiation with the owners of two of them, for their purchase, which I should have accomplished, if the husbands had not themselves interposed and prevented it, by expressing their unwillingness to be sold. Similar overtures were made, as I understand, by those who purchased from me, to the owners of the other husbands, which failed of success from the same cause.

The charge, that parents were torn from their children, if it be meant that I might have prevented such separations, and failed to do so, is equally without foundation. It is well known to those friends, to whom a reference will hereafter be made, what sacrifices I submitted to, in order to keep the families entire, and to relieve the members of them from every regret which their change of situation might otherwise have occasioned. I parted with a few negroes, the sons of some those who were sold, and whose services I knew not how to dispense with, at prices greatly below what I would have taken for them from others, and I would cheerfully have given one third of those prices to retain them, if my feelings could have permitted me to do so. Five young women, the daughters of some that were sold, belonged to other persons, to two of whom offers were made, but without effect, of prices exceeding those which I had obtained. Two out of the five were purchased, and I undertook, without authority and upon my own responsibility, to sell one of them, the property of a distant nephew, but in whose affection for me, I trusted for an apology.

It is, after all, an extraordinary circumstance, that, whilst emigration to this country of parents, who have voluntarily separated themselves from their children, and of children who have left behind them their parents, never to re-visit their native homes, pass daily before our eyes, without observation, so much sensibility should be felt, when similar occurrences take place in relation to this particular class of people. I may be permitted to add, that I have never heard a sigh or a complaint, from the parents of the two most valuable servants I ever owned, that their sons had abandoned them, and my service, and sought new habitations in the northern states, where they now are.

That the writer of the letter may have observed dejection in the countenances of some of the negroes, with whom he conversed at Mount Vernon, on account of a separation from their former companions, is possible, because it was natural. But it is well known to those who were witnesses of the separation, that those who were sold, carried with them no feelings of despondency or regret. In answer to a short address which I made to them, the elders admitted the necessity which compelled

me to part with them, and confiding in the assurances made to them by the respectable gentlemen to whom they were sold, as to the treatment they might expect, they expressed their belief that their situation would be improved, and cheerfully consented to go with them. Their behaviour during the two days that they remained in Alexandria, indicated a continuance of these feelings, and the almost unlimited licence allowed them by their new masters, proved how confidently they trusted in the sincerity of their declarations.

I pass by the *insinuation*, that, because general Washington thought proper to emancipate his slaves, his nephew ought to do so likewise, with the single observation, that I do not admit the right of any person to decide for me on this point. I am the last man in the world who would attempt to depreciate that, or any other act of this most revered relative. He was influenced on that, as on all other occasions, by that moral rectitude which invariably governed him through life. He believed the measure to be right, and this was always decisive with him.

The rule which I have prescribed to myself, to confine this letter, as far as it is possible, to a mere statement of facts, forbid my entering into the reasons which influence my conduct on this particular subject. It is possible that they may have misled my judgment; but I am conscious of the purity of my motives, and I trust that those at least who know me, will in this respect do me justice.

It is somewhat mortifying to me, that it never occurred to the visitor at Mount Vernon, who seems to have taken so great an interest in my concerns, to enquire of my manager, or of some one of my neighbors, what were the motives which had induced me to make this sale? Had he done so, he would have been informed that the prominent ones were the following:

1. That I had struggled for about twenty years to pay the expenses of my farm, and to afford a comfortable support to those who cultivated it, *from the produce of their labor*. In this way to have balanced that account, would have satisfied me. But I always had to draw upon my other resources for those objects, and I would state, upon my best judgment, that the produce of the farm has, in general, fallen short of its support from 500 to \$1000 annually. To the best of my recollection I have, during the above period, (two years excepted,) had to buy corn for the negroes, for which I have, sometimes paid five, six and seven dollars the barrel. Last year I commenced the purchase of this article for ninety negroes in the month of May, and so continued to the end of it.

- 2d. The insubordination of my negroes, and their total disregard of all authority, rendered them worse than useless to me. Southern gentlemen understand, and well know how to appreciate the force of this motive, and I therefore forbear to enlarge upon it.

But if it should be asked, as it well may be, why this temper was more observable at Mount Vernon, than upon other plantations in the neighborhood, I answer, that, that place has at times been visited by some unworthy persons, who have condescended to hold conversations with my negroes, and to impress upon their minds the belief, that, as the nephew of general Washington, or as president of the colonization society, or for other reasons, I could not hold them in bondage, and particularly that they would be free *at my death*. That such conversations have passed, I have evidence entirely

satisfactory to myself; and that such impressions had been made upon the minds of the negroes, was imparted to me by a friend, who had no reason to doubt the fact. In consequence of information so truly alarming, I called the negroes together in March last, and, after stating to them what I had heard, and that they had been deceived by those who had neither their or my good in view, I assured them most solemnly, that I had no intention to give freedom to any of them, and that nothing but a voluntary act of mine could make them so. That the disappointment caused by this declaration should lead to the consequences which followed, and which will be mentioned under the next head, was to be expected.

5. The last motive which I deem it necessary to assign was, that I had good reason for anticipating the escape of all the laboring men of any value, to the northern states, so soon as I should leave home. During my last circuit, and soon after my return, three of them eloped without the pretence of a cause—one of them, a valuable cook, is at this time a fugitive in one of the northern states; the other two were retaken on their way to Pennsylvania—but I had to pay about \$250 on these accounts.

I conclude by stating, that the sale of the fifty-four negroes was made to Mr. Sprigg and Mr. Williams, two gentlemen on the Red River, who meant to place them upon their own estates, and to keep them together. From such purchasers, I was induced to take \$2500 less than the price which I had at first fixed upon.

If there be any person who thinks it worth his while to ask for further explanations, in respect to the above statement, I refer him to Mr. Noble Herbert, Mr. Maurice Herbert, and Mr. B. F. Herbert, of Alexandria; Mr. Bushrod Washington, near Mount Vernon, and to my manager, Mr. Seal.

I am &c. very respectfully, your very obedient servant,

BUSH. WASHINGTON.

American Canvass.

One great arm of the national defence is nearly independent, and ought to be wholly so, of foreign labor and production. Notwithstanding the iron manufacture is not as it ought to be in the United States—as it is encouraged in every other country, for there is not any that receives foreign iron of such qualities as its own mines and factories can supply, not one that suffers this *primary fabrication* to depend on contingencies, if possible to avoid them,—as to naval matters, all the chief things that belong to the building, equipment, sailing and *fighting* of ships, save and except a sufficiency of approved hemp, are produced among ourselves, or furnished by American labor and skill. It is surprising that, with so many advantages for its cultivation and preparation for use, hemp has been so much neglected; for we are told that, if it is rightfully managed, it is one of the most certain and profitable crops that can now be raised in many parts of the U. States. The commissioners of the navy, who suffer nothing to escape them that can contribute to the *independence* of the naval establishment, have clearly directed the process which should be used to render this indispensable commodity eligible for their use, and have done all that they could to encourage its cultivation, by giving it a decided preference over the foreign, if equal in quality. It appears from the following article, that the *manufacture* of it has arrived at the highest state of perfection, through domestic

ingenuity, but we understand that the raw material used is chiefly imported from Russia. We cannot imagine any reason why this should be the case. Of hemp, flax and sheep we ought to have an abundance. Indeed, each of those things should come into our list of commodities for *export*, on account of the wonderful facilities afforded by our lakes and rivers to transport them to the sea-board—such as are not enjoyed in any other country.

From the Aurora. Notwithstanding the baleful abandonment of the national industry, and the denial of that protection, which it was obligatory on the government of a free people to afford to their means of prosperity; the intelligence and genius of the people is daily producing the same effective exertion, in overcoming the odious policy that has been pursued, as they did against the intolerable selfishness and indifference to the happiness and rights of the people practised by the British government, in the colonial period.

There is nothing now wanting but a *national spirit* in the people themselves, to triumph completely over the debasing and impoverishing policy of banking, loaning, and public profusion. Would the people but consult their own interests—their country's interests, what is due to their children—and resolve to give preference in every case, where American industry has withstood the baleful policy of the public administration—they would very soon teach public men, that there was a power superior to their selfish and treacherous artifices, and that the people can act for themselves, and act towards their treacherous trustees upon the policy they recommend—that is to *let them alone*—let those betrayers of their trusts *stay at home*, and when an election comes, to place men in those trusts who will not let a country susceptible of the greatest prosperity, sink into distress—when the very end of government itself is—*not to let the public faculties alone*, but to promote, protect, and keep them in activity.

We saw with particular gratification on Friday, a specimen of an important branch of industry, such as we have not any where seen equalled. It is a manufacture of *sail cloth*, in an improved mode of execution, and of the most perfect workmanship—not merely perfect in external appearance, but in its proved excellence.

This sail cloth, of which we have requested and obtained a specimen, which may be seen at our publishing office, is executed by an improved method of manufacture, for which a patent has been taken out by the inventor, *Joniah Chapman*, of Frankford, near Philadelphia, and the improvement is equally applicable to the manufacture of *duck and canvass*.

It is with pleasure that we saw some specimens of this manufacture that had been fairly tried in naval service, under the orders of the commissioners of the navy. Some of it has had a trial in the navy on foreign service, and at the same time with Russian; and appears after a *trying cruise*, as perfect and firm, as when it was first hoisted; while the foreign is no longer fit for service. This is not merely an opinion given upon a superficial view, but what is sustained by the commissioners of the navy, as the following extract of a letter from commodore Rodgers, to Wm. Jones, esq. formerly secretary of the navy, will shew:

“In the year 1815, the commissioners directed a main-top-sail and main-top-gallant-sail for the Boxer, to be made of Mr. Chapman's canvass, and they instructed captain Porter, then commanding the Boxer, to wear these sails with others made of

English canvass, and Russian canvass, in order to test their relative durability. The result, as reported by captain Porter, proved Mr. Chapman's canvass to be greatly superior to either English or Russian, *it possessed twice the durability.*

"The commissioners of the navy, are decidedly of opinion, that the American canvass, tested by them, is greatly superior to any ever imported into our country.

I am, &c.

(Signed) JOHN RODGERS."

Wm. Jones, esq. Philadelphia.

This important manufacture, has attracted the attention of the Philadelphia Philosophical Society, and we are gratified to find that society has bestowed *their highest premium*, for improvements in sail cloth, on Mr. Chapman.

We have had the satisfaction to learn that two extensive manufactories, on this important improved plan, are now in active operation at the village of Patterson, New Jersey; one of them owned by John Colt, esq. and the other, by Vasques and Travers; and that the navy commissioners have hitherto contracted annually, for all those manufactories have been able to produce, for the use of the U. States' navy.

The specimen will be shewn to any citizen whose curiosity may induce him to call at the Aurora office, in the course of this day, or to-morrow, where a piece of the canvass, cut from the sail of the Boxer, may be also seen.

Transactions at Pensacola.

PENSACOLA, AUG. 25. The extraordinary excitement of our townsmen, on the occasion, exclusive of general considerations, made us very solicitous to give this day the best history we could procure, of the much to be lamented transactions of the 22d inst. which we feel assured, were no less painful to the party ordering, than to the party suffering the penalty of the law. *The statement given is unquestionable.*

We have no wish to remark on the transaction, conceiving it as of a peculiarly delicate nature, further than to remind our readers, that a difficulty of a similar kind occurred in Louisiana, on its being taken possession of by the United States, when the former intendant was imprisoned for a week, by gov. Claiborne, for not surrendering papers, under similar circumstances—and that Galvez, at this place, imprisoned col. Campbell, for many months, on bare suspicion of his having in his possession papers of a public nature, and belonging to the property and sovereignty of the country.

Floridian.

STATEMENT.

On information given to the alcade, that public documents, or records, required by individuals to enable them to prosecute their claims, were in the possession of a person of the name Sousa, he communicated the fact, by petition, to the governor.—On this, a commission was given in writing to col. Walton, to the alcade, and to col. Miller, the clerk of the county court, authorizing them to wait on Sousa and request him to exhibit, and deliver to them, all such public documents as were in his possession, relating to the property in the Floridas, which no individual had a right to retain, and in case of his refusal, to report the fact to the governor. When these gentlemen waited on Sousa, on the morning of the 21st, he exhibited two open boxes, containing papers, which he said belonged to the military department and to the revenue, and

which were intrusted to him by the late governor for safe keeping. On examining the papers, those sought for were found, together with three other records of suits between individuals, involving the title to property in West Florida. A demand was then made of these papers, but refused by Sousa, on the ground that he had no control over them; but he declared that he would immediately communicate the demand, which was made to him in writing, to the late governor.

These facts being reported to the governor, he commissioned col. Butler, and col. Walton, secretary of West Florida, accompanied by the alcade, to make a demand of the papers; and in case of a refusal, to require Sousa to accompany them to the governor's office. They accordingly went to his house, between 11 and 12 o'clock, on the 22d, where they found Sousa, and made the demand; when he informed them that he had sent the papers to col. Callava's. He was then brought before the governor, and on being interrogated, acknowledged that the particular papers required, had been in his possession; that they related to property in this country; that they were in certain boxes with other papers, he had delivered into the keeping of col. Callava's steward, and that they were then in Callava's house. A written commission was then given to col. Butler and Dr. Bronaugh, accompanied by the alcade, to repair to the house of col. Callava, to make a demand of him of these papers, and in case of refusal, to require col. Callava, and the steward, to appear before the governor.

About five o' clock in the evening, they repaired to the house of col. Callava, and found him surrounded by Spanish officers in uniform, with their side arms, having just returned from a dinner party. Col. Butler immediately stated his business, and made a demand of the papers; which had been taken to his house by Sousa, in contempt of the authority of the governor. Col. Callava said, that Sousa was acting only as his servant, the he himself was responsible; but, that he claimed the privilege allowed him by the laws of nations—that he could not be proceeded against as a private individual—that he held the papers as late governor, and that his powers, as commissioner, were still in force—that, if among the papers which were in his possession, any should be found, which ought to be surrendered under the treaty, if demanded of him, as commissioner, in writing, he would reply.

Col. Butler then stated his orders, which were read to colonel Callava; and then informed him that the governor was acting in his civil capacity in the execution of the laws—that formal complaint had been made that these papers were improperly withheld, and that the governor could not recognize colonel Callava, in any other capacity than a common individual, while in the execution of his duties under the laws. He then demanded the papers; which were refused—he then required him to appear at the governor's office; which he refused. Colonel Butler then stated, that he was setting at defiance the authority of the governor, in the execution of the laws, and that he might expect the consequences—he still persisted in his refusal; but when these gentlemen were about to withdraw, he said that on a list being given to him, the papers should be delivered to colonel Butler, if found in the boxes—to this colonel Butler, and those who accompanied him, acceded, and withdrew. Shortly after, the alcade, judge Breckenridge, returned, and presented him the list, at the same time stating that colonel Butler, and Dr. Bronaugh, would call

in two hours, and expect to receive the papers. Col. Callava then said, that the list must be first translated—that the demand must be made of him as commissioner—and that he must have time to give his reply. After the two hours had elapsed, which was about nine o'clock, P. M. Colonel Butler, and Dr. Bronaugh, with the alcade, and accompanied by a guard, under the command of lieutenant Mounts, proceeded to the house of col. Callava. They found the door locked, and demanded admittance three times distinctly, without receiving any answer. It was then discovered, that the door on the opposite side was open, and several officers, sitting without candle, in the porch. When colonel Callava was demanded, no one replied—colonel Butler then stepped into the house, and entered one of the rooms in which a light was burning, and in which there was a bed, on examining which, col. Callava was found lying on it, with his coat off. He arose apparently much astonished—the demand for the papers, as agreed upon, was renewed; he persisted in his refusal—when told he must prepare to go before the governor, he replied he would not quit his house alive—he was then told force would be used. Colonel Butler said he hoped he would not render it necessary—that he might consider himself forced—on his still refusing, the officer of the guard was called in, he then put on his uniform coat, and was conducted to the office of the governor.

On his entering the office, he was requested by the governor to take a seat at the table. The governor informed him of the nature of the business, for which he was called, and that he was required to answer, whether certain boxes containing papers had not been delivered into his possession by Sousa—he requested permission to put down his answer in Spanish, which was granted—he began to dictate a protest against the proceedings, on the ground of his being a commissioner on the part of Spain, &c. but was interrupted, and required to say, whether he would, or would not, answer the question propounded to him, directly? He then positively refused; on which the steward, Fullarat, was examined, and acknowledged that the boxes were delivered to him by Sousa, and were then in Callava's house.

The governor now stated to col. Callava that he had been officially informed that the papers demanded were seen in the possession of Sousa; that, by Sousa's confession, they were delivered in certain boxes to Callava's steward, and that they were then in his house. He was therefore, advised to deliver them up, or his refusal would be considered a contempt of the governor's authority. Callava persisted in his refusal nearly two hours, still alleging that he was privileged as a commissioner, and not responsible as an individual, and making impassioned appeals to the bystanders against the procedure, and at the same time against the indignity offered to a person of his rank and distinction. He was repeatedly told by the governor, that he could not view him in any other light than as an individual, who had in his possession documents which no individual had a right to retain; that, under the second article of the treaty, all papers relating to the property of the country were to be delivered; that it concerned the inhabitants, whose titles and rights were involved; that, for their protection and those claiming under them, it was his duty to place them in the hands of the alcade for safe keeping. He warned col. Callava of the consequences of his refusal, and reiterated his demand. Every means being at length found unavailing, col.

Callava, as also Sousa and the steward, were committed to prison by the governor, until the papers, should be obtained.

A guard had been placed at col. Callava's house with strict orders that every thing should be kept in exactly the same state in which it was left. The next morning the governor gave a special commission to col. Walton, secretary, col. Miller, Mr. Shannon, and Mr. Brownjohn, accompanied by the alcade, to go to the house of Callava, and to open the box containing the papers; those which had been enumerated, and had been demanded of Callava, if found, to be taken and brought to the governor's office, and then to close the box, placing a seal upon it.

This was accordingly done, and in one of the boxes, recently sealed by Callava, the papers were found, and accordingly deposited at the office of the governor. An order was then issued for the release of col. Callava, of Sousa, and the steward. *Extract from a letter published in the Louisiana Advertiser, dated at Pensacola, Aug. 22.*

—“But in the mean time judge Fromentin has thought proper to issue a *habeas corpus* for the prisoners, which the keeper of the prison, not deeming himself justified in obeying, sent to gov. Jackson—and gov. Jackson considering an attempt to extend relief of this nature, to prisoners committed in open court (and that the highest court in these provinces) for contempt of court, an outrage upon its dignity, and a misdemeanor, has cited judge Fromentin to appear before him this afternoon, to answer to this charge. I am now going to attend this trial, and should the affair be brought to a conclusion before the schooner sails, will give you the result in the conclusion of this letter.

“On going to the court room I learnt that judge Fromentin had pleaded inability to attend, agreeably to the governor's summons, on account of a rheumatism, which confines him for the moment to his couch. A further time has, of course, been indulged to him. Callava and his dependents have been discharged from custody, and the business is thus closed.”

ADDITIONAL PARTICULARS.

From the National Intelligencer of Thursday last.

A letter from our correspondent at Pensacola, gives us an account of the affair between governor Jackson and colonel Callava, the same in all essential particulars as that we have already published. One or two extracts, however, from our correspondent's letter, will throw some additional light on this matter:

“Pensacola, Sept. 1, 1821.

“In the organization of the government, no one can have the slightest idea of the difficulties who is not on the spot, and to whom its situation is not explained. There was but one civil officer in all West Florida, the alcade, and his powers were almost indefinite, or rather, under the old order, every thing; but, under the Spanish constitution, of very little importance, comparatively speaking. There was no government that we could understand or administer; it all existed in the arbitrary will and pleasure of those who exercised it. The general has made what he could of it.”

“After the surrender of the country, col. Callava remained here, as we supposed, for his own good pleasure; for he was never considered as holding any official station near our government after that period, and if entrusted with a commission from his own government he never made it known. Several papers, demanded by individuals for the purpose of asserting their rights, were discovered in

the possession of a person who, it afterwards appeared, was under the orders of Callava. This person was ordered to deliver them; he refused and shifted them into the hands of Callava; they were all brought before the governor, as you will see in the *Floridian*, and he committed for contempt. All the Americans here, and who had an opportunity of witnessing the transaction, highly approve it. Some think he might have been confined in his own house, as was done in the case of the intendant of New Orleans—but the general would make no distinction between his case and that of the man in whose possession the papers were in the first instance found. Similar difficulties are said to have occurred at St. Augustine. A milder course was pursued by the officer commanding there, for the present; but that a different course will be pursued I have no doubt."

The following additional information on the subject, is from *The Floridian* of the 1st of September:

"We understand that, among the documents, (of col. Callava), seized, are the testamentary papers, (covering more than a thousand pages), of Vidal, former lieutenant governor of Louisiana, on which a number of decrees, in favor of the heirs, were made, by different governors of this province, within the last ten years. Several of the decrees are by col. Callava, and as late as July, 1820—but none of them have been as yet enforced. The party against whom these decrees have been entered, has been cited to shew cause why they should not be carried into execution, and the matter is now under the consideration of the governor; it would, therefore, be highly improper in us to say any thing further. Let the law have its course."

Ohio vs. the Bank of the U. States.

For the better understanding of the subject, we present to our readers the two following accounts of the issue, or present state of the famous controversy between the state of Ohio and the Bank of the United States:—

FROM THE NATIONAL INTELLIGENCER.

This controversy has, we understand, from an unquestionable source, come to a final issue in the circuit court of the United States, for the district of Ohio. To give our readers a distinct comprehension of that issue, it is necessary to inform them, that a bill in chancery was filed against the collecting officers of the state to restrain the collection of the tax imposed by the state; on which an injunction was granted. Prior to the collection of the tax this injunction was served; but, as those officers supposed, and as they were advised by counsel, that it was illegally served, they proceeded notwithstanding to collect the tax, and levied 100,000 dollars, about \$20,000 in specie, and the residue in the notes of the corporation. The counsel for the bank, entertaining an opinion of the service of the injunction, different from that of the opposite counsel, proceeded against the officers for an alleged contempt in disobeying the injunction, and the court adjudged the injunction to have been legally served; but, at the instance of the counsel of the officers, continued the prosecution for the contempt until the late term of the court.

The bank also instituted an action of trespass, *quare clausum fregit*, against the officers and the sureties, in their office bond, for entering its office at Chillicothe, and forcibly seizing the \$100,000; to which the defendants severally plead not guilty. After the seizure, the bank amended its bill, and stated that fact, obtained an injunction to prevent

the negotiation of the notes seized, and prayed a decree for the restoration of the specific money and notes which had been levied. Thus the bank had in operation three remedies for the recovery of the sum taken: 1st, the bill in chancery; 2dly, the proceeding for the contempt; and, 3dly, the action of trespass—all of which were ready for trial at the late (September) term.

The court pronounced a decree for the restoration of the identical \$100,000 which had been seized, with interest upon the specie part of it, from the time of the seizure until payment; and granted a perpetual injunction against the collection of any tax in future under the act of Ohio. By an arrangement between the respective counsel, the attachment for contempt was dismissed at the costs of the defendants, and the action of trespass to be continued until the decision of the supreme court is also to be dismissed at the defendants' costs, in the event of the affirmation of the decree of the circuit court. The treasurer refused to comply with that decree, and an attachment for a contempt was issued against him, and he was committed to prison. He still refused; whereupon the court, upon the motion of the counsel of the bank, awarded a writ of sequestration, by which the commissioners appointed in it were empowered to seize his whole estate, real and personal, and the identical \$100,000 seized, wherever the same might be found, and to sequester the whole, subject to the future order of the court. In virtue of this writ of sequestration, the commissioners named in it took the key of the treasury from the treasurer, entered the treasury, and took thereout \$98,000, the only part of the sum levied remaining, the other \$2,000 having been retained by the officer making the collection for his commission. The defendants appealed from the decree to the supreme court, which, by consent, was made to operate as a supersedeas upon the \$2,000, the interest and the costs of the suit in chancery; and the treasurer was thereupon discharged from custody.

No violence, no opposition, no forcible resistance, was offered to the execution of the writ of sequestration; and, if the original seizure of the money is to be regretted, it is highly consoling to have witnessed the silent but irresistible energy of the law, when that law was declared by the constitutional organ. The execution of the process of the court, without impediment or disturbance, is creditable to the people of Ohio, and to the population of Columbus in particular. Thus, the very circumstances which seemed at first to threaten the peace and quiet of the union, and to weaken the authority of the government, terminates in evincing its strength, and in communicating to it new vigor.

FROM THE COLUMBUS, (O.) GAZETTE.

Mr. Olmstead—That there may be no misunderstanding or mistake with respect to the proceedings, in the circuit court of the United States, in the case between the bank and the officers of state, I send you a brief, but correct statement of the whole, for publication.

The counsel for the state, and the officers concerned, being satisfied that the court considered itself bound, by the proceedings that had taken place, to pronounce a decree according to the prayer of the complainants' bill, conceived that no good purpose could be answered by taking up time in making arguments which they knew beforehand could avail nothing. They therefore determined to say nothing in opposition to the court pronouncing a decree—and they agreed that this decree

might be so taken as that the complainants might call upon the court to enforce its immediate performance. In consequence of this determination, the following agreement was drawn up and signed by the counsel.

"It is agreed that if the decree, pronounced in the suit in chancery of the bank of the United States, *vs.* Osborn and others, at the present term of the federal court of Ohio, shall be affirmed by the supreme court, the action of trespass to be continued during the intermediate time is to be dismissed at the defendants' cost.

"2. If it shall be reversed, and the bill dismissed, the bank is to be at liberty to prosecute the action of trespass, but is to contend only for the amount of that decree in damages.

"3. In like manner, if the reversal be partial, the bank may prosecute, after such reversal, the action of trespass for such sum as will, with the sum respecting which the decree may be affirmed, amount to as much as the decree is now pronounced for.

"4. No advantage is to be taken in the supreme court, of the decree being against all the defendants, instead of apportioning principal and interest between them, according to the respective sums and times of their receiving the amount levied.

"5. The attachment for contempt against Osborn and Harper, to be dismissed at their costs, with the assent of the court.

"6. The decree to be enforced during the present term, except that the appeal (if the defendants chose) may be made to operate on the 2,000 dollars, part of the 100,000 dollars not now in the treasury, and the interest and costs."

The decree pronounced was for 100,000 dollars, with interest upon the specie, amounting to about 19,000 dollars and costs. It directed that the amount be paid to Wm. Creighton upon the 6th instant. A copy of the decree was levied upon the defendants, Osborn and Sullivan, and the money not being paid, a rule for an attachment was given against them. They appeared in court and alleged that they had no personal control over the money, and that, consistent with the law and their official duties, they could not pay it. Osborn also alleged that the money was not within his power. The court decided without hesitation, that, as Sullivan had the money in his possession, his answer was insufficient, and ordered an attachment to issue returnable on Saturday morning. In respect to Osborn the matter was taken under advisement. On Saturday morning Mr. Sullivan was brought into court by the marshal, in custody upon the attachment, and, still refusing to pay over the money, he was committed to prison. He remained in prison until Monday, when a sequestration was moved for against him. By this process, commissioners are appointed to take possession of all the defendant's estates, and hold them from him until the decree is performed. The court awarded the writ of sequestration, which specifically directed the 98,000 dollars to be sequestered. Messrs. Creighton, Brush, Bond and Judge Cook were appointed commissioners, who called upon Mr. Sullivan and took from him the keys of the treasury, which they entered, and took possession of the sum of 98,000 dollars. As to the residue of the decree, an appeal had been taken to the supreme court and perfected. The commissioners made a return to the court that they had sequestered the 98,000 dollars; it was ordered to be paid to the complainants, and Mr. Sullivan was discharged from custody. The rule for an attachment against Osborn was then discharged.

This is a concise history of the proceedings, upon which it is not my intention to offer any comment.

Yours, &c.

C. HAMMOND.

Columbus, Sept. 11th, 1821.

Spanish Cortes.

Report of the committee to whom was referred the disturbances in the American provinces, with instructions to propose measures for their general pacification.

Your special committee, appointed for the purpose of proposing such measures as they might deem most advisable, to put an end to the dissensions and disturbances which afflict the American provinces, have been deeply impressed with the importance of this arduous task, and have felt every desire to discharge their duty in a manner corresponding to the confidence reposed in them by the cortes.—Few questions of so weighty a nature, can become the subject of deliberation in a legislative body, or the decision of a government, as that which this presents to the Spanish cortes.—Its determination may produce the greatest events; and upon a judicious decision depend, perhaps, the tranquility of America, and the rapid civilization of the human race.

It seems that Spain is destined to give to the world, from time to time, remarkable examples, both of heroic greatness, and of peculiar originality. The distant seas and remote regions explored by her sons, after the first discoveries by Columbus, in the 15th and 16th centuries; the distinguished valor and mighty deeds, bordering on the fabulous, of the Cortezes, the Balbaos, and the Pizarros, did not fill the measure of her glory; nor was it enough that Sebastian del Cano, with his ship *Victoria*, called in those days the rival of the sun, should make the circuit of the globe, but she must add to her trophies the introduction, into those regions, of her arts and her religion.

Those vast countries were made to enjoy the benefits possessed by Europe, and the first discoverers were not tardy in extending to them the advantages and improvements of their native countries. How great was the enthusiasm and pleasure with which, according to Gorcillas, they met together to enjoy the first fruits that arrived from Europe; and which, through care and attention, were soon after produced in those distant lands. The laws of the Indies are a lasting monument of the sincere desire which ever animated the Spanish government, that America should be treated with the same tenderness, and placed upon a footing of equality with the European provinces. These laws provide that its inhabitants shall be treated, favored and protected like their fellow subjects of the peninsula.—From so just and prudent a policy, accrued those advantages which were afterwards felt. Cities sprung up, which, in their population, beauty, and extent, vied with the largest and richest in Europe; their produce soon increased the trade and commerce of the world; and America's sons, by their talents and abilities, enlightened the empires of Mango Capac and Montezuma, and, not satisfied with diffusing their knowledge in their native country, they have come to Europe to co-operate in the great work of improving and promoting the prosperity of both Spains; for many worthy deputies from the other side of the Atlantic, have taken a very active part in the most important discussions. Such are the fruits of the civilization and culture which Spain sought to introduce into the new

world—and they fully prove the injustice and levity of foreign writers, when speaking of the Spanish domination in those regions. The wrongs and abuses which have been there experienced, cannot be attributed to the laws, nor to the ambition of the mother country, but only to individuals, to the prejudices of the age, to the evils which afflicted Spain, and to the great distance, which, in almost every case, rendered the responsibility of governors nugatory.

Notwithstanding those evils, America continued faithful and closely united to the mother country; neither the dissensions which occurred in Europe, nor the war of succession, had any influence then to disturb the public tranquility, or to inspire the desire of seceding from the metropolis—nor was the glorious war of independence sufficient to induce her to seek a separation; as on the contrary, she readily assisted us with her treasures; and, to the pride and honor of America be it said, her first attempt to sever the bond of union, sprung from a noble principle, altogether similar to that which induced Spain to defend herself, with so much resolution, against a foreign invasion. When Andalusia was already invaded in 1810—most of our provinces overrun—the government dispersed—and nearly all our armies routed, the fate of Spain was considered as decided, and her ruin appeared inevitable; it was, indeed, difficult to conceive that, from an extreme insulated point of the peninsula, the nation was to rise again, not only independent, but regenerated and free. The Americans, mistrusting their governors, under the apprehension that, as they were Europeans, they might be inclined to follow the fate of Spain, whatever it might be, took the resolution not to submit to a foreign yoke, preferring to separate from the peninsula, rather than suffer the disgrace of receiving laws from an unjust invader. Such was the noble sentiment which gave birth to the disturbances in America; and if any of the leaders acted from motives less pure, they were obliged to conceal them under the cloak of so just and worthy a cause.

After the Spanish arms, in conjunction with those of the allies, had repulsed and driven the enemy from place to place, compelling him at last to evacuate the peninsula, it was natural to suppose, after such happy results, an immediate reconciliation would take place with the seceding trans-atlantic provinces.—But the well grounded hopes of all good men, were blasted by the baneful decree of the 4th of May, and the atrocious system afterwards pursued. The war continued to rage in various parts of that continent, and the passions were more and more irritated, so as to throw great impediments in the way of the adjustment of those unfortunate differences. Still New Spain, or rather the whole of the Spanish provinces in North America, having almost entirely returned to a state of tranquility, at that period so desolating a war was terminated; while, on the other hand, a considerable part of Peru constantly adhered to Spain, as has also been the case with Cuba, and the other islands. Thus, while on the Main, in Buenos Ayres, and in Chili, the afflicting spectacle was beheld of Spanish and American blood being shed by the very hands which had the greatest interest in its preservation, the most important part of Spanish America remained free from so many calamities.—But this tranquility is not sufficient, even if it should extend throughout America with a prospect of permanency. No! it falls short of the wishes of the friends of humanity.—It is necessary

that America should build her happiness upon a solid foundation; so that, far from counteracting, she may contribute to the prosperity of Europe. The Spanish cortes, rising superior to the prejudices of some, and the passions of others, should, by their wise and just measures, make themselves the worthy rivals of the former cortes, who, confined to a dock, did, amidst the roar of the enemy's cannon, dictate laws, obeyed and respected to this day, by provinces so remote.

Your committee, persuaded of this truth, discussed in several sittings, the questions which appeared most proper to attain the grand object we all have in view.—These were examined in conjunction with his majesty's ministers, who, in the beginning, entirely coincided in the general opinion prevailing in the committee; but were subsequently induced, by peculiar occurrences, to suspend their judgment, believing that public opinion was not yet prepared for a final decision.—In this situation, your committee are unable to bring forward any formal proposition, inasmuch as it belongs to the government to determine the matter of fact—that is to say, as to the expediency and urgency of certain measures.—And the cabinet not thinking that moment yet arrived, nothing now remains for your committee, but strongly to recommend to ministers, the acceleration of so desirable a moment.—This is loudly called for by justice; it is demanded by the uncertain and precarious fate of so many European Spaniards, settled in those countries; it is demanded by the natives themselves, and the different classes who have so gallantly supported the cause of the metropolis; in fine, it is demanded by America, and the true interests of the peninsula.—The prosperity of the former, resting in the restoration of tranquility, which will prove a source of incalculable benefit to her; and that of the latter, in not being obstructed in her progress, by having her councils distracted by cares, created by the deplorable situation of those distinct climes. The lights of the age, and a wise policy, ought to guide the government in forming so new and so glorious a resolution.

Your committee, fully sensible of the greatness of the subject, and believing that their decision will, perhaps, affect the interests of the whole world, would wish to impress upon the minds of all Spaniards this, their firm conviction, that they might all contribute to the completion of so great a work. Spain would reap advantages which otherwise she can never expect; and the ties of kindred, and the uniformity of religion, together with commercial relations, and those emanating from free institutions, would be the surest pledge of mutual harmony, and close union. Your committee, therefore, not being able alone to come to any determination, content themselves with simply proposing, that ministers be urged to lay before the cortes, with the least possible delay, the fundamental basis of such measures, as they may deem advisable and just, both for the complete pacification of the distracted provinces of America, and to secure to them all solid and lasting happiness.

Madrid, June 24th, 1821.

Foreign Articles.

"HOLY ALLIANCE."

It is rumored that the *holy allies* are to have another meeting, in which the "holy" chief of the Mahometan faith is to have a "holy" representative! But this is not probable. Russia can manage the whole affair for herself!

GREAT BRITAIN AND IRELAND.

London papers of the 16th August.

A reduction in the British army, to the amount of 12,000 men, is about to take place.

Though there has recently been such an enormous issue of gold, it has disappeared, and the country bankers are issuing one pound notes to supply its place.

The report of the select committee of the house of commons, on the sale of bread, has been published. The committee condemn the existing laws, as pressing injuriously upon bakers, and recommend, without hesitation, the repeal of these laws, and that the sale should be free from all restriction, as to the denomination of loaves, or their weight, in future.

In the last session of parliament a bill was passed "for the summary punishment of persons wilfully or maliciously damaging or committing trespasses on public and private property." But at the end comes a clause exempting from the operation of the act, "all mischief done by hunting and by shooters who are qualified!"

In the year 1818, 107,000 criminals passed through the prisons in the United Kingdom.

Upwards of thirty farms in the county of Kent, were given up at Michaelmas last, by the tenants, and are still unoccupied, the landlords not yet having received a single offer even at greatly reduced rents.

Fifty three whales, from 16 to 24 feet long, lately grounded at a place called Fethard, in Wexford county, Ireland, and were killed by the country people.]

A Roman padlock made of iron, in excellent preservation, inscribed L E G. XX. was lately found near the side of the Roman altar at Boughton.

At a gardener's in the vicinity of London, cherries were sold, during the first week in May, at the rate of 42s. per pound; strawberries and raspberries at 2s. 6d. per ounce; grapes at 18s. per pound, and pine apples at from 20 to 50s. each!

Removal of the queen's body. An account of the ceremonies and riots that took place on this occasion, fills many close printed columns in the newspapers. The friends of the deceased, at the head of whom were her executors, forbade the interference of government, and the latter persisted in hurrying off her remains. Supported by a considerable military force, (*the reasoning of kings*,) the officers, &c. for the purpose, succeeded in getting possession of the body, with a resolution to have it embarked without passing through London—but the people stopped up the streets with waggons, carts, and all sorts of articles, and finally forced the procession into the city, wherein the body remained that night. The officers of government and the troops were assailed with showers of stones, &c. and, on one occasion, they were so closely pressed as to fire on the people, by which a number were killed or wounded. The immense population of London and its vicinity seemed in motion—the windows of the houses were filled with ladies in mourning, the shops shut up, all the bells tolled, &c. The whole day, from half past 7 A. M. until night, though it rained severely, was one scene of uproar and confusion, which finally resulted in the triumph of the mob, who forced that which might as well have been conceded at once. The people were determined to pay a last tribute of respect to their queen, and should have been permitted to do so.

The cavalcade was formed the next day, and, through streets and roads lined with people, at

length reached Harwick, where the body was, with much ceremony, put on board of the Glasgow frigate. It was accompanied by some of the friends of the late queen to Germany. The whole matter presents one of the most disgusting pictures that we have met with, while it shews the most ardent attachment that existed in favor of the queen, and demonstrates the opposition that is held to her enemies. The London Courier, in speaking of this affair, calls them "humiliating realities." "And what," says this journal, "were these realities?—That in the most civilized country in Europe, we had the spectacle of a royal corpse dragged along amid the rabble-shouts of a lawless mob, first in one direction and then in another; now stopped—then impelled forward: mud, and filth, and stones and brickbats flying in every direction—sanguinary execrations uttered by drunken ruffians—blood-shed—lives lost—and a fearful carnage avoided only from the unexampled forbearance and humanity of those who endured without avenging, this scene of unparalleled atrocity."

The Glasgow frigate was accompanied on her voyage to Cruikhaven, with the corpse of the queen, by five or six other armed vessels. The British court is ordered into mourning on account of her death.

The king's speech! When the king landed at Dublin, it was with great difficulty that he made his way through the crowd: on reaching the house at which he intended to put up, he addressed all present in nearly the following words:

"In addressing you, my friends, now around me, I conceive I am addressing the nobility, gentry, and yeoman of Ireland. I can truly say, this is one of the happiest moments of my life. I feel much pleasure in being the first of my family who set foot on Irish ground; that burst of feeling which I have witnessed in my progress hither, has been most delightful to me; it shall be my endeavor to repay it. Early in life I loved Ireland, and, I trust, I can boast of an Irish heart. I am just now, after a protracted and tedious voyage; circumstances have occurred since its commencement, which I will not here particularly allude to: accept my heartfelt thanks for your truly Irish welcome. I shall now take my leave of you, by saying that I will drink all your healths in a glass of good whiskey punch!"

He then shook hands with every person within reach, without distinction of rank or appearance, and retired.

The budget. On the 1st of June, the chancellor of the exchequer, having opened his intended motion with a flourishing description of the finances, said, that the income and expenditure of Great Britain for the year ending the 5th of Jan. 1820, was 55,011,114*l*. The whole amount for the whole services of the present year would be 58,221,000*l*. deducting therefore the assumed amount of the revenue and the payments for the army and navy, there would appear an expenditure of 13,290,800*l*. over and above the income of the year. This he meant to provide for from the sinking fund; and moved that a sum not exceeding 13,000,000*l*. be raised by annuities on the sinking fund, for the service of the year 1821.

A fig tree, seven and a half feet high, with a stem five and a half inches in circumference, is growing luxuriantly in the hot house of the botanic garden of Edinburg, completely suspended from the ground, and without a particle of earth to nourish it. Water is thrown over it every day.

[Edin. Journal.]

The penitentiary. We see [says the Morning Chronicle], by the papers presented to the house of commons, respecting the penitentiary at Millbank, (ordered to be printed March 15), that there are 551 prisoners in that prison, the nett expense of whose maintenance has been 14,880*l.* 3*l.* 6*d.* for last year, which is 26*l.* 17*s.* per head. This is about half a guinea a week for the board wages of these worthy servants of the public. But the lodging of these gentry is paid for at a much more extravagant rate. The sum of four hundred thousand pounds has been already expended on the building of this prison; which sum divided by 551, gives about 722*l.* a-piece as the sum paid for the erection of the residence of each of these persons. A man who builds a house generally gets ten per cent. for his money, which would make the *house rent* merely for each of the prisoners, 72*l.* 2*s.* a year; so that, altogether, they cost more per head than the junior clerks in public offices, and about four times as much as well-paid laborers with families in the most counties in England.

An independent member of parliament. In a country paper of Nov. 12, 1774, is the following letter from Anthony Henly, esq. to his constituents, (in a borough in Hampshire), who had written to him for the purpose of opposing the excise bill in the house of commons:—"Gentlemen: I have received yours, and am surprised at your insolence in troubling me about the excise. You know, what I very well know, that I bought you; and, by gad, I am determined to sell you. And I know, what perhaps you think I do not know, you are now selling yourselves to somebody else. And I know, what you do not know, that I am buying another borough. May G—d's curse light on you all; may your houses be as open and as common to all excise officers as your houses were to me when I stood for your rascally corporation. Yours, &c.

ANTHONY HENLY."

FRANCE.

The duke of Wellington has lately been at Paris, where he had a long conference with the ministers; supposed to relate to the affairs of Turkey. He had proceeded thence into Belgium, and examined some of the fortresses.

AUSTRIA.

Maria Louisa, and her court, have gone into mourning for the death of her husband, Napoleon Bonaparte—it is announced at Parma in the following manner: "By reason of the death of the most serene husband of our august sovereign, which happened in the island of St. Helena, on the 7th of May last, her imperial highness, the gentlemen and ladies who compose the interior service of her court," the persons of the household, &c. are to go into mourning for three months.

It is stated that, in the event of a war between Russia and Turkey, Austria has agreed to send additional troops into Italy, to prevent any fresh disturbances.

RUSSIA.

The disposable military force of Russia is given at 300,000 men—a large part of which is collected on the frontiers of Turkey, &c.

TURKEY.

Wallachia is said already to present a scene of desolation and ruin. Wherever the Turks have passed they have left a train of destruction—the bodies of men, women and children slain, and houses conflagrated. The churches and convents razed to the ground, and even the fruit trees killed. The young girls were generally spared to be sold

as slaves, &c. The loss of property is estimated at fifty millions of dollars!

The Turks crucify their unhappy victims, the Greeks. Sixteen of the richest Greeks had been subjected to this cruel death, after their wives and children had been slowly burnt before their eyes!

The battle between the Greeks and Turks off the Dardanelles, is spoken of as having been a furious one. The fleet of the former consisted of 35 sail, of all descriptions, recently merchant vessels; that of the latter was composed of one three decker, three two deckers, three frigates, six vessels of about 22 guns, and six of 12 guns, all men of war. The Greeks, it appears, carried nearly every Turkish ship by boarding, except the three decker which the Turks themselves destroyed to prevent her falling into the hands of their enemy. It was a desperate affair—no quarters were given on either side, and the Turkish force was exterminated! Since then the Greeks blockade the strait, and the Turks prohibit the passage of vessels from the Black sea.

The Turks evidently expect a war with the Russians, and are concentrating their forces. It is designed to increase the army in Moldavia to 150,000 men, that being about the amount of the Russian force in the neighborhood. Many movements have taken place among the Austrians—it appears settled that they will act with the Russians; if so, Turkey in Europe may be blotted from the map in a few weeks.

On the 16th of July, the Seraskier of Bruila, sent to Constantinople, several chests full of ears and noses, that had been cut off, which he had salted, on account of the warmth of the season! This reminds us of the packages of *scalps*, curiously marked and assorted, which were captured on their way to England, whither the agents of his "sacred majesty" were sending them to gratify the royal taste. For a particular account of this cargo, consisting of eight packages, some of them containing upwards of 200 scalps, see WEEKLY REGISTER, Vol. IV. page 95.]

The plague has broken out and was making dreadful ravages at Smyrna. This city had not been burnt as was reported, though many murders and shocking atrocities had been committed in it.

It is stated that a Greek corps, pressed by a superior Turkish force, had passed the *Pruth* and was well received by the Russians.

The chief of the Greeks in Thessaly is called *Ulysses*, and he lately gave a severe defeat to the Turks. Some approaches towards a federal government for the Greek islands has been attempted—the chief seat to be at Hydra, where a great many ships belong; but as yet nothing efficient had been accomplished. The Turks still possess Scio, Samos, Nikaria, &c. There is yet a contest for supremacy in Candia. Rhodes *reposes* peaceably, in the arms of the "legitimate sovereign."

Thirty French officers have lately left Marseilles to take a part with the Greeks—who have just captured a Tripolitan corvette and five other armed vessels of that Barbarian state.

BARBARY.

The empire of Morocco is rent by a civil war, carried on by a nephew against his uncle. The latter was lately defeated not far from New Fez, and lost his whole train of artillery, consisting of sixteen cannon, 6 mortars, &c. The conqueror then entered New Fez without opposition. It was believed that he would soon advance against Tan-

gier, &c. It seems probable that the uncle will be un-kinged.

BRAZIL.

There appears to have been another revolution in this country, effected without much difficulty or violence. We have only the particular fact stated, that the hereditary prince has been deprived of his presidency, but permitted to hold a seat in the council of regency.

MEXICO.

We have a translation of certain articles of agreement between the governor of Vera Cruz and the chief of the patriot forces lying before that city, for the suspension of arms for the space of three months, subject however to the approval of *Iturbide*, who is called the chief of the "Imperial army." The adverse parties are to maintain their present ground, and the state of things is not to be changed. Puebla surrendered to the patriots on the 29th July, by capitulation. The new vice-roy of Mexico, O'Donoju, who recently arrived at Vera Cruz, still remains there, instead of having departed for Havana, as heretofore stated. Several of his family were ill of a violent fever.

From the general appearance of the intelligence, the independence of Mexico seems to be nearly accomplished.

CHRONICLE.

Milligan, the person who robbed the Phœnix bank at New-York, has been brought to that city from Canada. When there, he claimed the protection of the British government, as a subject, having been born in Ireland, &c. The manner of getting possession of him is not stated, but it seems as if some management was used on the occasion.

Terrible tornado. The New Hampshire Patriot of the 17th inst. gives a long and particular account of one of the most violent tornadoes that we ever recollect to have heard of. It happily was not of very great extent. It appeared like a vast funnel, filled with leaves, limbs of trees, &c. and the power of it may be understood from the following notes of its destruction: Many barns and houses, with their contents, were completely blown away—a child sleeping on a bed, with the bed itself, was carried 150 rods from the place whereon a house had stood, and found dead—large pieces of timber were dashed about like straws; a hemlock log, 60 feet long, three feet in diameter at the foot and nearly two at the top, was raised completely off the ground and carried a distance of six rods from the place whereon it was lying—a piece of wood, of about forty acres, was literally prostrated, not a whole tree left standing! the persons that were in one of the houses destroyed by the tornado, state that it began to whirl, and in a moment after it rose over their heads, while pieces of timber, bricks, &c. were falling around them in horrible confusion! a large tree was seen whirling perpendicularly in the air, and a stout elm, that refused to yield, was twisted round like a wither—some ash trees were divested of their limbs and "and split literally into basket stuff!" a pair of cart-wheels were separated from the body, carried sixty rods and dashed to pieces—the entire top of a chimney was moved ten rods and then deposited entire, &c. All these things, with many others of the same character, seem to be fully substantiated. Several lives were lost—the value of the property destroyed is not estimated.

Remarkable.—A person from Egg-Harbor informs, that such was the remarkable force of the wind in the gale of the 2d inst. that the spray of the salt water was carried from 12 to 14 miles into the country. That its effects upon vegetation was so powerful as to kill the leaves of trees, grass and herbs of various kinds—that he observed one orchard on his journey, the leaves of the trees of which, on the side towards the ocean, were turned brown and appeared as if scorched and dead—while, on the other side, not exposed to the storm, the leaves were as green and healthful as before the gale.—*Trenton Federalist.*

Pirates. The schooner *Evergreen* was captured by a pirate off Havana, who, after robbing her, put five men on board and ordered her to follow. The captain of the *Evergreen* so managed it as to retake his vessel, and to bring her and her piratical crew to Boston. They are in the custody of the marshal. One of them is an Englishman, another a Dutchman, and the rest blacks, natives of Hayti.

Pins. A manufactory of this article has just been established in the alms house and penitentiary of New York—and it is intimated as probable that, "in a year or two, the New York Pin manufactory may supply half the market of the United States, of as good a quality and as low in price as the imported."

Maine. We have before noticed the very hot controversy that existed in this state as to whom should succeed to the gubernatorial chair. The strife between the "republicans" induced the "federalists" to bring forward a candidate—Mr. Whitman. The return is not yet complete—but it is believed that Mr. Parris has been elected, though it requires a majority of the whole number of votes given to make a choice. Of those returned, Parris had 11,825, Whitman 6,531, Wingate 3991, and 324 were "scattering."

Pensacola. A weekly mail reaches this city from Claiborne, Alabama—the distance between those places is eighty miles. The proper address is—"Pensacola, via Claiborne, Ala."

Arkansas. A letter from governor Miller to the editors of the Arkansas Gazette, states that they need be under no apprehension of disturbance in their possessions on account of the Choctaw treaty, as a new arrangement will be made with the Indians, throwing them far to the west of the white settlements.

Monied institutions. The following is stated to be the amount of capital of the incorporated banks and insurance companies of the state of New-York.

Thirty-two insurance companies, aggregate capital	10,750,000
Thirty-four banks, exclusive of the bank of the United States,	23,170,000
	\$33,920,000

<i>Of the above amount in the city of New York.</i>	
Insurance capital	9,250,000
Bank capital	13,120,000
	\$22,370,000

Aggregate

Navy department, Sept. 20th 1821.

All vessels bound to the West Indies and Gulf of Mexico, that shall rendezvous by the 15th day of October next, in latitude 37 degrees N. and ten leagues east of Cape Henry, off the Chesapeake bay, may have the benefit of convoy of the United States ship *Hornet* and brig *Spark*.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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HEALTH OF BALTIMORE. *Interments for the week, ending yesterday morning, October 5, at sun-rise.*

	1	2	3	4	5
Scotches	1	6	8	2	3
Irish	3	5	8	3	5
English	1	7	8	3	0
Foreign	10	12	7	3	5
Coloured	10	12	7	3	5
Infants	22	11	4	4	4

Whole number of interments 68

Two very important tables are inserted in the present sheet. The largest one is taken from the report of the committee on manufactures, laid before the house of representatives of the United States at its last session; the other is extracted from *Seybert's statistics*, with additions from official documents of later publication than that work. These tables are especially necessary for the use of those who desire to understand the state of our finances, and the progress and prospects of the revenue, &c. together with the facts that belong to the present mode of taxation.

PENSACOLA. We publish the statement of col. Callava, as to certain late transactions at Pensacola, noticed in our last. It differs materially from the other account of them—but, we simply register both.

On the late "affair at Pensacola" the National Intelligencer of Thursday last, observes.—The proceedings of governor Jackson in relation to the ex-governor Callava, have not, so far as our observation has extended, been impeached by the public; but, not acquainted with the extent of the authority with which the governor of Florida is clothed, (he exercising the powers of a Spanish captain-general, until congress take the subject up, and extend the laws of the union to the territory,) many individuals have been disposed not to acquiesce in the propriety of the governor's conduct towards the federal judge, who issued the writ of habeas corpus.

On these two objects, we are glad to find, stated in the New Orleans Advertiser, that, upon a re-examination of the matter, as to the writ of habeas corpus, Judge Fromentin became satisfied that he had no right to issue the writ; and thus, we hope, the unpleasant collision of authority terminated.

FOREIGN NEWS. By the accounts given in the present sheet, it appears that the Greek insurrection in Moldavia, and Wallachia is at an end. The Turks have complete and undisputed possession; and the part that Russia will take is quite uncertain, nothing new being stated on the subject. It seems, however, that there was still a strong opposition in Greece, proper, particularly in the Morea, though the Turks yet held most of the important fortresses. As usual, we have noticed the chief things that appeared generally interesting, for which, again, we have to caution our readers that we are unaccountable, except so far as the facts seemed to be presented to us in extracts

from European newspapers—and these, like too many in our own country, not unfrequently misrepresent the truth, from various causes.

"GERMANICUS," in the Winchester "Republican" of the 22nd ult. has made a rejoinder to my remarks of the 15th of that month. Without intending to treat the writer with any thing like rudeness or disrespect, I am compelled to declare that I cannot comprehend him; and to express a belief, also, that he has misunderstood me, as well as too hastily looked over the facts which I advanced. In my former notice of this writer, I pointed out one considerable mistake that he had made, and here is another of enormous magnitude that must be corrected. "Germanicus" observes:—"Mr. Niles, says that the importation, since the 4th of March 1798, amounted to 350 millions." Upon my conscience!—I said no such thing; I could not have committed such a blunder: I did say, that the TAXES on goods imported since 1789 [not 1798], had amounted to about 350 millions,"—and in the same paragraph, only two lines below, estimated that the importation, from that time to the present, might be valued at "eighteen hundred millions of dollars," which, I believe is not far from the true amount that we have paid to foreigners in cash or goods, for their commodities received and consumed in the United States, during the period just above stated. The writer, however, wishes to know the "amount of the exportation"—he will find it in a table inserted in page 86, which we had laid off as a companion for that shewing the amount of taxes received at the treasury of the United States (see page 85), before we saw his request. But, for a better explanation of the facts that bear immediately upon the present state of things, I will also refer him to the 18th vol. of this work, page 228, where he will see that the imports for four years, ending 30th Sept. 1811, amounted in value to more than 459 millions, while the exports were valued at 315 millions, and which, after due allowances made, left a balance of 108 millions against the United States.

If not regulated by government, the passions of the people, it will soon regulate itself, as it is now doing, by reason of their poverty.

"PREPARATION OF THE HEART!" Many of our newspapers, published on a Saturday, give us a serious article under the head of "Sunday reading." The *Baltimore Patriot* (in which many of the insolvent notices are published), every Saturday supplies a whole page of these notices—no doubt, with a view to humble the pride of some, and cause the people, generally, to reflect on the want of common honesty, when assembled in their several places of worship.

THE PRESS.—From the *Washington City Gazette*.—The radical hostility of tyrants to the circulation of thought, is strongly depicted in the reply of Sir William Berkley, governor of Virginia, to certain questions relating to that colony, propounded from abroad in 1670.

"I thank God there is no free schools nor printing, and I hope we shall not have these hundred years."

for learning has brought disobedience and heresy and sects into the world, and printing has divulged them and libels against the best government. God keep us from both!"

What an admirable text for the holy alliance.

What a consoling reflection for the editor of a free paper to know, that monarchs, at the head of mighty armies, dread the combination and array of the simple letters of the alphabet, subsisting on bloodless ink, and quartered on virgin paper!

There is something military in the art of printing: The *line*, the *column* and the *square*—do they not belong alike to the nomenclature of printing and of war? On the other hand, how did the army of France and the navy of England prosper until they resorted to the *press*.

Punning aside, the similitude is *impressive* enough. Types, like soldiers, may be almost as readily employed against civil liberty, as for national independence.

While the editors of the Gazette were on the subject, they might have mentioned (and they would have mentioned it, if they had thought of it), that some who ridicule and lash the emperor of Austria, because of his fears that his subjects may become too wise, have made it penal in other countries to teach persons to read. The principle of tyranny does not rest on the color of men; and the necessity of keeping slaves ignorant is the same every where—just as rightful in the dominions of Austria, as in the British West Indies and the United States, &c. Let us be consistent, and not blame others for doing that which we are doing ourselves.

THE SLAVE TRADE. In the year 1817, no less than 20,076 slaves were exported from Africa for the single port of Rio Janeiro—of these 2,042 died on the passage; and in 1819, 22,231 were embarked for the same place, of whom 2429 died—*murdered* in two years, by the trade to Rio Janeiro only, *four thousand four hundred and seventy one* human beings!

In certain papers lately laid before the British house of commons, the word "Baltimore" several times occurs, as having a part in this murdering business, and "Bristol" is not less infamously mentioned on the same account. Public opinion must put down every one suspected of being engaged in it, seeing that the laws are insufficient to bring the *murderers* to the gallows.

A writer in the "National Intelligencer" over the signature of "Glimp" in attempting to prove that Great Britain has not been impelled by motives of humanity in her endeavors to check the slave trade, but that, on the contrary, they grew out of her spirit of monopoly, having her own islands well stocked with *men-cattle*—presents several interesting statistical facts: take the following extract—

"From the time, that sir John Hawkins was knighted by Elizabeth, 1563, for stealing from the coast of Africa, three hundred negroes, which he sold in Hispaniola, and had the additional reward of the command of her majesty's ships, the *Jesus* and the *Solomon*, to pursue a similar voyage on her majesty's own account, up to the present day, when with canting hypocrisy England endeavors to make every other nation subservient to her sordid views, by suppressing the slave trade in one quarter to favor it, on highly advantageous terms to her, on the coast of Africa; I say from that day to the present hour, her conduct has been all of a piece: sordid, mean, jealous and insincere. Wearing, like her huckster officers in Cape Coast Cas-

tle, the badge of honor, and soiling it by the most pitiful and dirty occupations. I turn with disgust from one scene to another equally disgusting, for whichever way I view the conduct of England in her African transactions, my mind revolts at it.

Your correspondent denies that the British West Indies are "well stocked with slaves, in conspiring them with the neighboring islands," says that slaves are smuggled into them in spite of every effort to the contrary, and mentions a law for the registry of the slaves, as one of the most efficient measures that could be adopted. We will see anon how far he is correct.

First, then, of the "stock" on hand, and its proportion to neighboring islands, according to Edwards, who is considered good authority, there are in the English islands 450,000 slaves, a great part of whom were brought from the coast of Africa; other and late authorities place the number still higher. The number in Jamaica is known to be 319,000, Barbadoes 69,000, and Antigua 37,000; this is ascertained from official reports laid before parliament, making the gross amount in these three islands alone, 425,000; whereas the whites amount only to 48,757, to wit, Jamaica 30,000, Barbadoes 16,157, and Antigua 2,590, which is a proportion of about eight to one.

In the French West Indies, including Cayenne, according to official reports in 1780, the number of slaves, amounted to 188,632, and the whites 31,032; being a proportion of six slaves to one white; and if we add to the number of whites, 6,374 free blacks and mulattoes, we reduce the number of free population to slaves, as only five slaves to one free person. It will be perceived by this statement, that the three islands of Jamaica, Barbadoes and Antigua alone, have 256,370 slaves more than the *whole* of the French West Indies, that they more than double the number that the French have, that the proportion of slaves to free persons in three British islands, is eight to one, whereas in the French West Indies they are only as five to one. It may be objected that this estimate of the French population, which is from the authority of Mr. Neckar, in 1780, is of too old a date; but I answer, that during the French revolution, there was no augmentation to the number of slaves in the French West Indies, while the white population was considerably increased by exiles, and voluntary emigration, and that the importation of slaves into them since that period, bears no proportion whatever to the importations of the British, for, between the years of 1783, and 1787, inclusive, there were imported into the British West Indies 106,000, and since the latter period to the restriction, 38,000, annually, have been imported.—From the best estimates that can be made, the total imports into all the British colonies of America and the West Indies, from 1680 to 1786, may be put at 2,130,000, making, on an average, upwards of 20,000 annually!!! So much for the *stock* on hand, and so much for the proportion it bears to the number in the "neighboring islands." That this stock will increase is certain, while pregnancy adds to the value of the female, and the birth of a child adds value to the estate, as is now the case."

He then proceeds to examine "what grounds there are for the charges of smuggling," and makes it out that they amount to nothing. Indeed, he shows that the "old islands" except Jamaica, were rather overstocked, and he makes an extract from a report, laid before the assembly of the Bahama islands, in which it is declared, that they "have long been over-stocked with slaves."

The writer might have led his readers to the conclusion which he desires, by referring to the recently published statement of the population of the great island of Cuba—which, if it possessed slaves in proportion to its white inhabitants, as they relatively bear to one another in the British West India islands which he has named for example,—ought to have nearly *three millions and an half* of slaves instead of only 225,000, the number of blacks at present held in bondage there. We have indeed, always believed that the superior amount of slaves held by Britain in the West Indies, together with the enormous population nearly as much subject to her in the East Indies, where sugar, coffee and cotton may be advantageously cultivated, has furnished the *real reason* of the efforts of her government to suppress the slave trade. It is not in the character of that government to spare human life or lessen human misery—an hundred memorable cases might be stated; but its intrigues with the Indians of North America, especially those within or bordering upon the United States, as well in peace as in war, afford conclusive evidence that no sort of regard is paid to either, when they come into competition with British views. The war that they excited among the Creeks, before the late war between Britain and the United States, which at one time threatened almost the necessity of an extermination of that people, in self-defence, after the horrible massacre at Fort Mims, was one of the most wanton and cruel sports with life that modern times presents us with.

COMMERCE WITH RUSSIA. We have a large table shewing the amount of goods exported in American ships from St. Petersburg, during the year 1811, in 66 ships; viz. 26 from Boston, 12 from New-York, 6 from Salem, 4 from Philadelphia, 3 each from Baltimore and Havana, 2 each from Newburyport, Beverly and Providence, R. I. and 1 each from Marblehead, Gloucester, Portland, New-Bedford, New-Orleans, and Havre de Grace.

The principal articles were as follows: 293,522 pounds of bar iron; 2,660 do. sheet do. 231,126 do. clean hemp; 29,878 do. outshot do.; 52,648 do. tallow; 21,188 do. cordage; 887 do. bristles; 2,577 do. feathers; 28,282 pieces sail cloth; 18,297 do. ravens duck; 40,413 do. Flemings; 260,301 arsheens broad diaper; 21,940 do. drillings; 99,008 do. crash; 6,185 do. skins; 15,000 hare skins; 1,395 red hides; 6,658,609 quills—with a little copper, flax, candles, isinglass, horse-hair, horse tails, anis-seed, linseed and hempseed oil, soap, &c. &c.

Thirty six pounds are a ton—the arsheen is 28 American inches.

COTTON. During *ten months*, ending the 1st September last, there was received at New York, the enormous amount of eighty six thousand two hundred and twenty five bales of cotton, for home consumption and re exportation to foreign parts! Of these, in round numbers, about 53,000 bales were received from Carolina and Georgia, 16,000 from Mobile and Blakeley, and 16,000 from Louisiana: of the whole, only 350 bales were from foreign places. The amount from Mobile and Blakeley, ports hardly known a little while ago, is astonishing—but we know that their exports of cotton are exceedingly large. The capital and enterprise of New York are drawing to that city an immense trade. It now, as a place of external commerce, is second only to London, and there is a prospect that it may rival even that great emporium before many years.

TREATY AT CHICAGO. Gov. Cass and Mr. Sibley, commissioners for the purpose, have lately concluded a treaty with the Potawatamies, Ottawas, and Chippewas, for the cession of all that part of the Michigan territory extending from its southern boundary to Grand River, and containing about 5,000,000 acres.

It is stated that not less than 3000 Indians were present and that they conducted themselves with great propriety. They were unusually cautious in arranging the conditions of the treaty, making many reservations and conditions that they deemed favorable to the melioration of their condition and their gradual improvement—all which appear to have been accomplished to the satisfaction of both parties.

The country is represented as being fertile, well watered and pleasantly situated. The navigable waters of the St. Joseph, emptying into Michigan, approach "within two days ride of lake Erie." While out on this service, gov. Cass made an extensive voyage of observation and discovery, accompanied by Mr. Schoolcraft, to whom we are already indebted for much interesting information about the western regions of our country, and we learn that he has carefully noted down the facts observed in this journey. They navigated the whole course of the Illinois, which is rather like a canal than a river, not having a rapid or even a ripple for 300 miles, and a current is hardly perceptible for the greater part of that distance. But when within about 100 miles of Chicago, (says the Detroit Gazette, from whence this article is derived) "the appearance of the country and with it the character of the river, changes. A continued succession of falls and rapids, at this season of the year, puts an entire stop to navigation, and the boats and their contents must be transported by land to Chicago. This change commences at a remarkable hill called by the early French voyageurs Le Rocher. It is a very elevated rock, not less than 250 feet high, perpendicular on three sides, and washed at its base by the Illinois. On the fourth side it is connected with the surrounding country by a narrow ledge, which can only be ascended by a precipitous winding path. The top of the rock is level, and contains perhaps three-fourths of an acre. It has been strongly fortified by the Indians, and many years ago was the scene of a desperate conflict between the Potawatamies, and on the one hand of the Illinois Indians. The latter fled to this place for refuge from the fury of their enemies. The post could not be carried by assault; and tradition says that the besiegers finally succeeded, after many repulses, by cutting off the supply of water. Every person who appeared at the top of the rock, for the purpose of procured water from the river, was immediately shot; and the result was a surrender, which was followed by the total extirpation of the Illinois band."

"FLORIDA COMMISSIONERS." Notice to claimants—Washington, Sept. 26. The commissioners, appointed under the 11th Article of the treaty of amity, settlement, and limits, between the United States of America and his catholic majesty, concluded at Washington, on the 22d day of February, 1819, to ascertain the full amount and validity of the claims mentioned or referred to in the said treaty—having, at their present session, duly examined all the memorials of claims, filed with the secretary of the board, on and before the 10th instant, in pursuance of the orders made by the board on the 14th of

June last; and having disposed of the same as to them seemed right; but having reasons to believe that there may be other claims, the memorials of which have not yet been presented—or having been presented, have not been received by the board, at its present session, because of defects in the same—do, therefore,

Order. That all persons, having claims which are to be received by this commission, memorials of which have not yet been filed with the secretary; or being filed, have not been received by the board, at its present session, for the reasons above stated—do file a memorial of the same with the secretary, *previous to the first Monday in January next*; to the end that they may be then duly examined, and the validity and amount thereof decided upon, according to the suitable and authentic testimony of the same, which may be required: And that each of the said memorials, now required to be filed, shall be prepared and verified, in conformity with the directions prescribed in the said orders of the board, made on the 14th of June last.

And, that further time may be allowed to claimants, to prepare and file their memorials as above directed, it is

Ordered, That, when the board shall adjourn this day, it will adjourn to meet again on the *first Monday in January next*; at which time, it will proceed to decide whether any memorials which may have been filed with the secretary, *before that day*, in pursuance of the above order, shall be received for examination.

And, in order that some further disposition may speedily be made of such memorials as have, during the present session, been suspended for argument, at the request of the claimants, it is further

Ordered, That the argument, in each case, which hath been so suspended, be filed with the secretary, *on or before the said first Monday in January next.*

T. WATKINS,

*Secretary to the commission,
under the 11th article of the treaty with Spain.*

THE MISSISSIPPI RIVER. *Extract of a letter.*

"Agreeably to your request, I here give the *width* of the Mississippi river at several points, between latitude 31 and 33, (the north boundary of Louisiana,) a distance of about 200 miles by water, measured by Isaac Briggs in 1806, who was then surveyor of United States' lands south of Tennessee.

The width, depth, banks, and channel, of this river are variable, and constantly changing. In some places the changes are slowly progressive; in others sudden and extensive. These changes arise from the depth, rapidity, and quantity of its waters, flowing, or rather precipitated, in tumbling whirlpools, through a vast extent of deep, soft, alluvial soil the surface of which is covered with a close, compact growth of strong cane, (*arundo gigantea*,) from 30 to 40 feet in height, interspersed with a growth of the largest timber, whose majestic height and dimensions seem to bear a similar proportion to the timber of other places, that the Mississippi bears to other rivers. Whole acres of the banks, to a considerable depth, frequently tumble into the river at different places, through its whole extent from the Missouri downwards. This soil and timber are hurried along by the impetuous current to the Gulf of Mexico, where the accumulation of mud and timber, propelled by the momentum of the current, has produced an extension of

the river several miles into the ocean some miles beyond which fresh water of the river has been taken up alongside of ships at sea.

Width of the Mississippi in 1806.

	Yards
At Fort Adams, near the 31st degree of latitude	834.62
At Natchez,	862.84
At Walnut Hills,	942.92
Near and below the mouth of Yazoo,	942.82
do. above do	1384.00
At latitude 33 degrees,	844.36

At many places between 51st deg. and 31d deg. the width is from 30 to 90 chains—seldom more than 80 chains. Perhaps a tolerably correct average width of the river would be about 45 chains, or from 900 to 1000 yards. The depth is not well known, nor is it easily determined; it is, perhaps, from 20 to 30 fathoms. Below the 31st degree the depth and rapidly of the river are greatly diminished by a number of outlets or passes, through which the waters flow from the river to the ocean. These passes are, *Chafulaya, Plaquemin, Manchac, Iberville, La Fourche, &c. &c.* *Nat. Int.*

THE "HOLY INQUISITION." In the *Constitutional Diary*, printed at Barcelona, in Spain, (says the *Petersburg Intelligencer*) we have perused a table shocking to humanity, of the number of victims who, since the year 1481, have fallen sacrifices to the fury of the Spanish inquisition. We know not how the document was obtained, nor how authentic it may be considered; but we suppose, since the favorable change of religious sentiments in that kingdom, that those records of sanguinary superstition may have been found among other proofs of the cruel fanaticism of the monks. Spain, at the present time, must be rich in rare documents illustrative of ecclesiastical tyranny.

Number of the victims of inquisitorial vengeance.

Periods.	Burned alive in person.	Burned in effigy.	Imprisoned and estates confiscated.
From 1481 to 1498	10,220	6,860	92,321
1498 1507	2,592	896	34,952
1507 1517	3,564	1,232	48,059
1517 1522	1,620	560	21,845
Interregnum 1523	324	112	4,369
1523 1538	250	1,125	11,250
1538 1545	840	420	5,400
1546 -	120	60	600
- 1556	1,200	600	6,000
1556 1597	3,690	1,845	18,450
1597 1621	1,840	920	13,848
1621 1665	2,816	1,408	10,386
1665 1700	1,728	864	6,912
1700 1746	1,564	782	11,730
1746 1754	10	5	170
1754 1788	4		56
1788 1808		1	42
Total,	32,382	17,690	291,450

RECAPITULATION.

Burned in person	32,382
Burned in effigy	17,690
Imprisoned and estates confiscated	291,450

Total victims 341,522

General view of the revenue of the United States.
Statement of the annual receipts of the United States, from the 4th of March, 1789, to the 30th of September, 1820.

Years.	Customs. Dollars.	Internal re- venue. Dollars.	Direct tax. Dollars.	Postage. Dollars.	Public lands. Dollars.	Miscell- aneous. Dollars.	Aggregate. Dollars.	Expenses of collection of the customs. Dollars.	Rate per cent.
From the 4th of March, 1789, to 31st Dec.	1791 4,399,472 99	208,942 81	.	.	.	19,440 10	4,418,913 09	239,541 03	5 16
1792 3,443,070 85	337,705 70	.	11,020 51	.	.	9,918 65	3,661,932 31	161,754 79	4 48
1793 4,255,306 56	274,089 62	.	29,478 49	.	.	10,390 37	4,614,423 13	188,562 13	4 23
1794 4,801,065 28	337,755 36	.	22,400 00	.	.	23,799 48	5,128,432 87	221,090 23	4 40
1795 5,588,461 26	475,289 60	.	30,909 84	.	4,836 13	5,917 97	6,506,134 59	260,359 28	4 43
1796 6,567,987 94	575,491 45	.	64,500 00	.	83,540 60	16,506 14	7,337,529 65	291,206 92	4 24
1797 7,549,649 65	644,357 95	.	30,500 00	.	11,963 11	30,379 29	8,303,560 99	343,434 26	4 35
1798 7,106,061 93	779,136 44	.	41,000 00	.	.	18,682 81	7,820,575 80	375,879 33	5 02
1799 6,610,449 31	809,396 55	.	78,000 00	.	443 75	45,187 56	7,475,773 31	412,183 45	6 86
1800 9,080,932 73	734,223 97	534,343 38	79,500 00	167,726 06	74,712 10	266,149 15	10,777,709 10	440,373 62	4 62
1801 10,750,778 93	1,048,033 43	206,565 44	35,000 00	186,628 02	116,518 86	177,905 86	13,668,233 95	489,972 86	3 78
1802 12,438,233 74	631,898 89	71,879 20	26,500 00	168,675 69	112,575 53	11,826,307 38	15,559,931 07	491,636 66	3 24
1803 10,479,417 61	50,941 29	21,883 91	21,342 50	440,193 80	10,004 19	13,560,693 20	17,060,661 93	536,113 51	3 97
1804 11,098,565 33	21,747 15	55,763 86	41,117 67	647,939 06	34,935 69	16,398,019 26	19,384,214 28	578,634 31	3 52
1805 12,936,487 04	20,101 45	34,733 56	19,159 21	442,252 33	23,638 51	7,733,473 12	14,423,529 09	440,180 28	3 20
1806 14,667,698 17	13,051 40	7,517 31	85,039 70	1,040,237 53	84,476 89	9,801,132 76	14,340,409 95	447,794 74	5 05
1807 15,845,521 61	8,210 73	3,805 52	45,000 00	1,135,971 09	119,339 81	11,181,635 16	15,969,916 82	434,779 80	2 99
1808 16,363,550 58	4,004 39	2,129,497 36	135,600 00	1,287,959 28	150,282 74	123,994 64	17,676,885 66	780,799 97	2 10
1809 7,296,020 58	4,004 39	2,129,497 36	135,600 00	1,287,959 28	150,282 74	123,994 64	17,676,885 66	780,799 97	2 10
1810 8,583,309 31	7,430 63	2,129,497 36	135,600 00	1,287,959 28	150,282 74	123,994 64	17,676,885 66	780,799 97	2 10
1811 13,313,222 73	2,295 95	7,666 66	20,070 00	2,606,564 77	57,447 71	21,060,171 04	23,925,556 66	773,797 29	3 67
1812 8,958,777 53	4,903 06	859 22	6,465 95	1,124,645 32	28,995 39	13,063,777 78	.	.	.
1813 13,224,623 25	4,755 04	3,805 52	45,000 00	1,135,971 09	119,339 81	11,181,635 16	15,969,916 82	434,779 80	2 99
1814 6,998,772 08	1,662,984 82	2,129,497 36	135,600 00	1,287,959 28	150,282 74	123,994 64	17,676,885 66	780,799 97	2 10
1815 7,282,942 22	4,678 100 77	2,129,497 36	135,600 00	1,287,959 28	150,282 74	123,994 64	17,676,885 66	780,799 97	2 10
1816 36,306,874 86	5,124,708 31	4,253,635 09	29,371 91	1,991,326 06	80,389 17	32,898,623 44	726,494 61	22 68	12 68
1817 26,283,348 49	2,678,100 77	1,854,187 04	20,070 00	2,606,564 77	57,447 71	21,060,171 04	23,925,556 66	773,797 29	3 67
1818 17,176,385 00	955 270 20	83,650 78	29,423 48	6,465 95	1,124,645 32	28,995 39	13,063,777 78	.	.
1819 20,283,608 76	229,593 63	77,734 18	29,423 48	6,465 95	1,124,645 32	28,995 39	13,063,777 78	.	.
1820 12,578,513 12	77,734 18	29,423 48	6,465 95	1,124,645 32	28,995 39	13,063,777 78	.	.	.
From the 1st of Jan. to the 30th of Sept.	341,069,111 46	21,871,309 56	12,608,446 88	1,088,155 42	20,393,777 94	2,053,574 72	339,084,075 98	13,158,128 48	

Exports of the United States.

A statement showing the estimated value of the domestic and foreign merchandise annually exported from the United States to foreign countries.

Years.	Articles, the growth, produce or manufacture of the United States.	Articles, the growth, produce or manufacture of foreign countries re-exported.	Total value of the exports from the U. States.
	Dolls.	Dolls.	Dolls
From the 1st of August 1789 to 30th September, 1790	1790	..	-20,205,156
1st of Oct. 1790 to 30th September, 1791	1791	..	19,012,041
do 1791 do 1792	1792	..	20,751,094
do 1792 do 1793	1793	..	20,109,572
do 1793 do 1794	1794	..	33,030,233
do 1794 do 1795	1795	..	47,989,472
do 1795 do 1796	1796	40,764,097	67,064,097
do 1796 do 1797	1797	29,850,206	56,450,206
do 1797 do 1798	1798	28,527,097	61,527,097
do 1798 do 1799	1799	33,142,522	78,665,522
do 1799 do 1800	1800	31,840,903	70,971,780
do 1800 do 1801	1801	47,473,204	94,115,925
do 1801 do 1802	1802	36,708,189	72,483,160
do 1802 do 1803	1803	42,205,961	55,800,033
do 1803 do 1804	1804	41,467,477	77,699,074
do 1804 do 1805	1805	42,387,002	95,566,021
do 1805 do 1806	1806	41,253,727	101,536,963
do 1806 do 1807	1807	48,699,592	108,343,150
do 1807 do 1808	1808	9,433,546	22,430,960
do 1808 do 1809	1809	31,405,702	52,203,233
do 1809 do 1810	1810	42,366,673	66,757,970
do 1810 do 1811	1811	45,294,043	61,316,833
do 1811 do 1812	1812	30,032,109	58,527,236
do 1812 do 1813	1813	25,008,152	27,855,997
do 1813 do 1814	1814	6,782,272	6,927,441
do 1814 do 1815	1815	45,974,403	52,557,753
do 1815 do 1816	1816	64,781,896	81,920,452
do 1816 do 1817	1817	68,313,500	87,671,509
do 1817 do 1818	1818	73,854,437	93,281,133
do 1818 do 1819	1819	50,976,838	70,142,521
do 1819 do 1820	1820	51,683,640	69,691,669
	1,010,227,190	658,688,605	1,859,003,366

Transactions at Pensacola.

[See page 73.]

COL. GALLAVA'S STATEMENT.

TRANSLATED FOR THE PHILADELPHIA GAZETTE.

I, don Joseph Callava, ex-governor of West Florida, commissioned by the Spanish government to carry into full and complete effect, as commissioner, all the stipulations between his catholic majesty and the president of the United States, in the cession made to them of the said province, under the treaty of friendship, adjustment of differences, and limits, ratified by both nations on the 22d day of February of the present year, 1821, do make the present sworn exposition, with all the force of law, on my word of honor, guaranteeing the truth of my assertions on the responsibility of my head, before a tribunal, of the outrages which were committed against my official character, as Spanish commissioner, against my person, and against my house, on the day and night of Wednesday, the 22d of August, 1821, by the governor of the said West Florida, and commissioner on the part of the United States under the same treaty. The facts are as follow:

At about four in the afternoon I was in the house of George M. Brooks, esq. colonel of the United States' 4th regiment, to dinner. The company at table consisted of col. Brooks, his lady, Eligius Fromentin, esq. judge of the United States; the commander of the United States brig of war Enterprize, Michael Kearney, esq. lieutenant colonel don Marius de Villiers; lieutenant colonel and commander of artillery don Francisco Palmes; the vicar of the province, the rev. James Colman; and citizens don Juan Innerarity, don Juan Larua; merchants, don Bernardo Prieto, and don Luis Gayani; captain don Jose Norilga, a retired officer; don Jose Cruzat, my secretary of the commission; lieut. don Carlos de Villiers, and don Arnaldo Guillard, sub. lieutenants; don Mariano Laturday, and don Pedro de Alba, public interpreter. The Spanish sub. lieut. don Domingo Sousa, came and enquired for me, earnestly desiring to speak with me. On entering he was accompanied by an officer of the U. States, who conducted him as a prisoner as he told me; having asked him for what reason, he replied, in the presence of the company, that, on the preceding day, three persons made their appearance at his house, who said, we are authorized by the governor don Andrew Jackson, to order you to

Deliver up certain papers which he has been informed are in your possession; and from the indications which they made to him, he comprehended that they were those which were packed up in cases belonging to the military tribunal and that of finance; he told them that certain cases existed in his possession in which he believed they were; but that he was a subaltern officer, subject to my orders, and attached to the commission and that the cases which he had mentioned, were under his care by my orders, as notary or clerk of those privileged tribunals, under my authority as governor, and could not dispose of those papers unless by my command. The persons in question withdrew, and returned again the same day, with a demand in writing of the papers, requiring him to give his answer also in writing; which he did, and consequently came to inform me thereof, but did not find me at home. On reflection this morning, he determined on taking them to my house, as a place of more security than his—he did so; but not finding me at home, left them in my house, which was all he knew. I told him he had done right. He further added, that having just searched his house, and demanded the papers, he replied that they were in my house; on which they conducted him as a prisoner.

I immediately sent my aid, captain don Bernardo Hrufo, to inform the governor from me, that don Domingo Sousa was an officer under my orders, and employed in the commission; that as the papers demanded, could not be given by him, he would have the goodness to address himself to me, and that if they were such as could be delivered, they would be furnished through the regular channel; extending further my request, that he would be pleased to understand that they could only be delivered by me. The answer which my adjutant brought me was, that "the order for the imprisonment of Sousa will be continued," and that the governor further told him, "tell colonel Callava that I will put him along with him." Under the impression that an answer altogether so unaccountable, without the slightest provocation to rest on, could only be attributed to an extraordinary mistake in the interpretation, which had been made of my message to the commissioner and governor, Andrew Jackson, I ordered my adjutant to return, accompanied by another officer and the public interpreter, in order more fully to acquaint the governor therewith. They fulfilled their mission, and brought me for answer, that the governor had replied with loud vociferations, and in the presence of several persons, "that colonel Callava shall go to jail!"

I was lost in astonishment, and my reason could not impute so extraordinary an occurrence to any other cause, than to an entire privation of judgment, or to sinister interpretation; but having no foundation on which to rest such an opinion, I proposed to go in person to the governor, so soon as dinner was over; but before I could do so, three persons came to the house of colonel Brooke, who said they were authorized to demand of me immediately the papers, for the governor would not show towards me any more considerations or forms, than he would to any other private individual.

I replied to them, requesting them to enquire of the commissioner of the United States, Andrew Jackson, how "was it possible that he should forget in a manner so unaccountable my official character?" Did he not receive from me, as commissioner, on the part of Spain, the province of West Florida, of which I was his predecessor in the go-

vernment, and that my stay with my secretary and officers, was pending the decision of the points submitted by himself and me to our respective governments, relative to the construction to be given to the second article of the treaty? The artillery is still held in deposit under the national safeguard.

The papers and documents under my charge, as governor, to be given by me, under the treaty, could not be delivered by me in the character of a private individual, because they did not come into my possession and trust in that capacity. I requested them to tell him that I was altogether bewildered at this course which was now pursuing; that the papers in my possession should be held sacred and inviolable in Pensacola, my person being under the immunity of the laws of nations, to be respected and protected agreeable to the usages of civilized nations, and every other individual commissioned by his respective government. That they would also be pleased to tell him that I do not yet know what papers he demands of me to deliver in this manner, and that he would have the goodness fully to acquaint me therewith in an official form, having due regard to the peace and harmony which subsists between Spain and the United States; that I have always acted towards him with the most distinguished consideration; both as commissioner of the United States and as governor; and in like manner I have treated all the citizens of the United States, indiscriminately, with the greatest attention during my administration as governor of West Florida; that I assure gen Jackson, both as commissioner and governor, that whatever papers were to be delivered by me to him this day, should be immediately furnished through the regular channel, as a proof that they were given in a manner becoming my official character.

I found myself attacked with a violent pain, from a complaint under which I have been suffering for some time. This I imparted to col. Brooke, and requested him to permit me to retire to my house, which I did, and then ordered my secretary to address an official letter to the governor, making the same statement to him as I had done to the bearers of his messages; which official letter I sent him by two officers, but the governor refused to receive it. At seven o'clock at night, the same persons came to my house, demanded the papers from me as a private individual, or to go with them before the governor. I found myself so unwell as to be unable to sit up, and stated to them that my illness would not admit of my going out, and that I did not clearly understand what papers they wanted, nor could I deliver them in any other way than as commissioner under the treaty, if they were embraced in the same, but if appertaining to my functions as military governor, as such being packed up in the cases, (as it was said), they must indisputably belong to the department of the military government, or that of the national finance, as all the civil and criminal archives belonging to the ordinary tribunals, had been delivered up by the constitutional alcade, as also were the protocols to the commission of the United States; but nevertheless, I requested them to furnish me with a note of the description of papers, and I would reply. In about an hour afterwards, a note written in English on a loose half sheet of paper was sent to me without any cover; I answered the bearer that it would be translated and replied to, I sent it to the interpreter and went to bed, and some time after, while at rest, troops commanded by an officer, and under the order of the above mentioned persons,

broke down my fences, scaled my house, and entered my chamber with naked bayonets in their hands; I addressed them, exclaiming that since my house did not afford me an asylum, nor my official character shelter me, nor the immunity to which I was entitled under the government of the United States, I threw myself on the protection of that government, and protested in the most solemn manner against such extraordinary outrages. They answered that I must immediately deliver the papers mentioned in the note, or that I should be conducted by them as a prisoner. I replied that I had sent the note to the interpreter for translation; that I was indisposed, and requested that they would not force me from my house at that hour, (at half past ten at night,) that if it would be sufficient to avoid the execution of such orders, they might determine on forcibly opening my cases and trunks, and carry off any papers they pleased, or act as they thought proper, as I was disposed to yield to force, and even resigned to let them assassinate me, as I placed every thing at their disposal.

One of the deputation ordered the officer commanding to enter my room, and at this time the citizen Don Juan Inerarity wished to intercede, as it appeared to me; but in speaking, he was told to be silent, and the officer was directed to take me as prisoner with his armed force. I replied, that I considered myself as such, and in proof thereof, I delivered my sword and case, but as to dragging me from my house, they must take into consideration my ill state of health—they answered that they knew it, ordered me to dress, and with the armed troops conducted me to the presence of the governor, who was in a separate house from his own lodging, accompanied by a large concourse of people of all description of persons. The said governor, through a person who acted as notary and interpreter, ordered him to extend an interrogatory, which he himself dictated, and required of me an answer—the question was insignificant, but I requested to be permitted to answer in my own idiom, and to write it with my own hand; it was granted; and while writing my answer, the paper was snatched from me, and with all the furiousness of a person bereaved of his judgment, or desperate, the governor, with heavy knocks on the table, and the most violent gestures, ordered me to deliver the papers. I was in the act of answering, but he gave me no time to speak, and whenever the interpreter began to explain my answers, in which I had so often been interrupted, he was not permitted to interpret, or did not interpret the same. With the strongest demonstrations, I constantly intreated that I should not in the present act, be deprived of the resource and consolation of answering in writing, and that I should be interrogated in the like manner; that a future monument might be left, for I inferred, from the sayings of the governor, that I was about to be assassinated. Unavailing were all my requests, every thing was refused me, nor could I learn why I was dragged there.

In the chaos of misfortunes in which I found myself enveloped, unprotected by the laws, the moment at length arrived when governor Jackson drew out, among other papers, a written order, which, agreeable to the interpretation made to me, contained the mandate for my being sent to jail. When informed thereof, I requested the interpreter to ask him for me, if he did not shudder at the perpetration of such deeds; that I protested before the government of the United States against the author of these atrocious outrages committed

against my person and the character I represented. The governor replied this time through the interpreter, that he was alone answerable to his government; that he did not care for the consequences, and that I might protest before God himself. I was in fact carried to jail at the hour of midnight, in my delicate state of health! My house was left open to the mercy of the soldiers! The Spanish officers, and other persons of my confidence, who were there, or repaired thither, were ordered off, and none of them were permitted to remain. My papers, and those of the government which were under my charge, were left without any inventory or account of the same: the keys of my trunks were left; my property and that belonging to my government for the purposes of the commission, were in like manner abandoned without any account or inventory, as also all my other personal property. At eleven, on the following morning of the 23d, a writ of habeas corpus was issued by the judge, don Eligius Fromentin, but governor Jackson treated it with contempt, stating that he did not think it proper to allow it to be carried into effect.

About five in the afternoon of the same day, I was informed, by the officer of the guard at the prison, of an order of the governor, which stated I should be set at liberty and accompanied by the officer of the day to my house; as he had now got possession of the papers, and I might see if the cases were closed and sealed. I told the officer who delivered the order that I could not enter my house unless accompanied by a judge. He said I might look for one, and then I came out of prison.

The officer accompanied me, with many other persons, and I went to the house of judge Fromentin, as being the only one in West Florida. I found him indisposed, and before every one present, I made a succinct relation of all these facts, and begged that he would extend to my person and house the protection of the law. He informed me that his indisposition prevented him from accompanying me, and that in his place I should take witness to be present at the recognition.

I then went to the house, accompanied by many people, and the officer of the day. I found armed troops inside, my papers scattered on the table, a case of papers which had been nailed, and sealed with eighteen wax seals, with the impress of the seal of my government, was found fractured and re-closed, and sealed with a different seal. My state of health has not hitherto permitted me to make the necessary examination of my private or public papers, nor the confidential ones of my government during my administration, nor the documents of my commission. The money was entire.

The foregoing relations comprehend the outrages committed against my person and official character, in Pensacola, on the 22d day of August, 1821, by governor Andrew Jackson. This narrative is the most sacred truth. In it I have not suppressed any previous circumstances; the history of the facts had no other origin. The motive I am entirely ignorant of, and that the whole is a true exposition, I do solemnly swear. I tender the proofs, and I protest with the same solemnity before God, before my government, before that of the United States, and before all men, against the authors and perpetrators of these deeds. I also swear, under the same obligations, that I have always observed, during my administration as governor of West Florida, indiscriminately, to every individual of the United States, whether resident or transient persons, the utmost consideration; that I have respected, and caused to be respected, their

persons and property. When any one has been guilty of any delinquency, he has always been treated with indulgence and a generous lenity; and so true is what I have manifested, that if public notice were to be fixed throughout the whole states, there would not be a single individual who could show the least cause of resentment. This conduct emanates from my own natural disposition, and from the orders prescribed to me by my government; and that this is my propensity so to act, with all mankind indiscriminately, cannot be impugned by the strictest investigation into my conduct during my life, and the commands which I have held.

Laws of Florida.

The following is published for general information, as well as to shew in what manner the laws of our new territory are framed:

ORDINANCE NO. 4.

Whereas, from the extent of the ceded territories, it becomes necessary to make such divisions as will promote the convenience of the inhabitants, and the speedy execution of the laws: Therefore, and in virtue of authority vested in me by the government of the United States, I do ordain—

Sec. 1. That the said provinces be divided as follows:

All the country lying between the river Perdido and Suwaney river, with all the islands therein, shall form one county, to be called *Escambia*.

All the country lying east of the river Suwaney, and every part of the ceded territories, not designated as belonging to the former county, shall form a county, to be called *St. John's*.

Sec. 2. In each of said counties, and for the government thereof, there shall be established a court, to be designated a county court, and to be composed of five justices of the peace, any three of whom shall form a quorum, and the eldest by appointment to be president of said court, whose jurisdiction shall extend to all civil cases originating in the said county, where the matter in controversy shall exceed twenty dollars; and to all criminal cases, saving to the parties the right of appeal to the governor, in all cases above the sum of five hundred dollars; and that there shall be no execution for a capital offence until the warrant of the governor be first had and obtained.

Sec. 3. That the judicial proceedings in all civil cases shall be conducted, except as to the examination of witnesses, according to the course of the existing laws, or the laws of Spain; and in criminal cases, according to the course of common law; that is, no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, and in all criminal cases the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the county wherein the crime shall have been committed and to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, and have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

Sec. 4. There shall be a clerk appointed for each of said county courts, who shall receive for his services, such compensation as the court for which he is appointed may from time to time, and in each suit, tax or allow; and there shall also be a sheriff appointed to each court, to execute the process thereof, whose services shall be compensated by the court to which he is appointed, in like manner as is provided for the clerk; and the said clerk

and sheriff shall give bond to the presiding justice, for the faithful discharge of their duties.

Sec. 5. Each county court shall hold quarterly sessions, and continue the same until all the business pending therein shall be disposed of; the first session to be held at Pensacola, on the first Monday of August next, for the county of Escambia; and at St. Augustine, on the second Monday of September next, for the county of St. John's, with power to adjourn the same from time to time.

Sec. 6. There shall not be less than ten Justices of the peace, commissioned for each county, whose jurisdiction shall extend to all civil cases, not exceeding fifty dollars, saving to the parties or suitors an appeal to the county court, in all cases where the matter in dispute shall exceed the sum of twenty dollars; and shall also be authorized, in all criminal cases, to exact surety for good behaviour, and to take recognizance in cases bailable, for the appearance of the accused before the county court.

Sec. 7. That the examination of all witnesses, within the jurisdiction of the courts, except when their personal attendance cannot be procured, shall be conducted *via voce*, and in open court; that the parties may conduct their suits in person, or by such counsel as they may choose, provided that the said counsel or counsellors shall have been duly licensed to practise in the courts of the said ceded territories, by the governor.

Sec. 8. The alcaides shall continue to exercise the powers of judges of probate, registers of wills, notaries public, of justices of the peace, and such other powers appertaining to their said offices, as have not been otherwise distributed, saving the right of appeal to the county court in all cases.

Sec. 9. That the judges of the said county courts shall have power to impose such taxes upon the inhabitants of their counties respectively, as in their discretion may be necessary to meet and defray the expenses which may be incurred in carrying this ordinance into effect.

Sec. 10. That the said county court shall have and exercise the powers of directing, by special *venire*, or otherwise, the summoning of all jurors, grand as well as petit.

Sec. 11. The said courts shall have the power of creating and regulating their process and proceedings, from time to time, as they may deem necessary, and shall, as soon as convenient after their organization, prepare and report a *free bill* to the governor for his approbation.

Sec. 12. That the said courts shall have and exercise the powers beyond the limits of Pensacola and St. Augustine, of granting and recalling licenses, or commissions for *innkeepers, retailers of liquors of every description, and keepers of billiard tables*, and to require of them such surety as they may deem proper, and impose such price for such licenses, as in their opinion may be reasonable.

Sec. 13. That it shall be the duty of the said courts, in regulating their process and proceedings, to confine the parties strictly to the merits of their cause, and to cause all useless matter, as well as unnecessary form, to be expunged from the pleadings, at the expense of the party introducing the same, so that justice may be administered in the most simple, cheap, and speedy manner.

Sec. 14. In all criminal cases, the process and indictment shall be in the name of the United States, and there shall be appointed a prosecuting attorney for each of the said counties, who shall receive in each case a reasonable compensation to be taxed by the court.

Sec. 15. That the police of the roads and bridges, without the limits of Pensacola and St. Augustine, shall be under the immediate direction of the said county courts. The police of the city to be exclusively confided to the mayor and aldermen.

PENSACOLA, JULY 21, 1821.

ANDREW JACKSON,
Governor of the Floridas, &c. &c. &c.

BY THE GOVERNOR:

R. K. CALL,

Acting secretary of West Florida.

W. G. D. WORTHINGTON,

Secretary, &c. for East Florida.

Law Intelligence.

COURT OF COMMON PLEAS.

City and county of New York.

John Ferguson,

vs.

Thomas Thompson. } One of the first benefits, arising from a permission to grant the freedom of elective franchise to people of color, is a dash at the higher walks in life, and attempts to imitate their more fashionable neighbors.—This was an action brought by Ferguson, a black gentleman of respectability, to recover damages against Thompson, a very decent colored man, a stage driver, for seducing plaintiff's wife, and destroying his comfort and peace of mind.

It is true, that in this case, there were no proofs of settlements—pin money—splendid equipage—elopements—duels, and doctors commons, and all those regular gradations which accompany an established case of English crim con; yet the plaintiff was an honest black citizen, a little "declining in the vale of years," as Othello says, who had married a young and handsome mulatto, but who, it appears, was not in court.

Thompson the defendant was also an old beau, and had an excellent character, and was, withal, a man of property. It appeared by the testimony, that Thompson brought sundry packages to plaintiff's wife, and by these little gratuitous attentions, won her affections and carried her off; and it also appeared in evidence that, in the midst of these miscellaneous proceedings, a child was born, which neither party owned. Witnesses were examined to prove that Ferguson had ill-treated his wife, and frequently turned her out of doors; and the court charged the jury that exemplary damages should be awarded, for the peace of mind and happiness of the husband had been injured; but if it appeared that he had used his wife ill without cause, and had turned her out of doors, he, himself, created a barrier to any compensation.

The jury retired for some time, and brought in a verdict of two hundred and fifty-two dollars, and the costs.

A number of black ladies and gentlemen attended this interesting trial; they were neatly and fashionably dressed and the ladies blushed a little, when examined on the delicate investigation.

FROM THE LANCASTER GAZETTE.

The following law case will shew that lawyers are as much amenable to the laws of the country, as other people. Indeed it is surprising that such an opinion should have been entertained by any man, who professes to be a friend to the republic of America:

Hugh Maxwell

vs.

Nathan L. Boulton

In the district court for the city and county of Lancaster.—Charles Smith, esquire, president.

Capias in case for a libel.

On motion; rule to shew cause why the writ issued against the defendant in this case, should not be quashed.

By the court.—This suit is brought against the defendant for a libel, and the motion to quash the writ is founded on the ground that the defendant, being an attorney at law, is privileged from being arrested. It is contrary to the principles and genius of the government of Pennsylvania, that any privileged order should exist therein. Attorneys are equally liable to arrest with any other person in the community. In England this privilege exists, but it cannot be the law of this country—therefore, let the rule be dismissed.

BRITISH COURT OF ADMIRALTY.

The ship Prince Regent.

This was the case of a bottomry bond, in the hypothecation of which the freight was omitted. The facts of the case, and the arguments of counsel, will be found in the London Courier of 13th July last.

Lord Stowell said that he should direct that the freight in this case be brought in, and subjected to contribution in an average upon the ship, freight and cargo. In this case the freight had been omitted in the hypothecation of the bond; but he had no doubt of the court's jurisdiction to supply the deficiency, which it now directed to be supplied. Unquestionably the hypothecation ought to have included freight. The lender, the person who advanced the money upon the bottomry bond, might undoubtedly elect to have the cargo included; for he was competent to elect upon what security he would hazard his advances. But he could not exclude ship and freight, for ship and freight were evidently the natural securities for the repayment of his money, and the court observed, that, in directing the freight to be added to the hypothecation, it was only strengthening the securities to which the lender was entitled.

The bond was then ordered to be brought into the registry of the court, and to be paid with interest and costs.

The ship Aurora.

In this case, a ship's register was delivered up by the captain of a vessel, to a party making advances for repairs done and performed to her in consequence of damage sustained at sea. The captain drew upon the owners for the amount or part of the amount of the charges—and payment was refused by them of the captain's bill. This was an application to the court to grant an attachment against the party holding the ship's certificates of registry, so deposited with the lender of the monies expended in repairs, by way of security, and by him refused to be delivered up until repayment of his disbursements. It was contended on the one hand, by Dr. Lushington, that the master ought to have taken up such monies in the regular way upon bottomry; but that he had no right to deliver up the ship's register, nor the lender of the cash, to detain it. Dr. Jenner, on the other side, maintained that the party advancing the money was entitled to withhold the register, by way of lien upon the owners for advance.

Lord Stowell said, as this was a new case, he should take some time to consider it.

From the Franklin Gazette.

THE COMMONWEALTH vs. PATRICK COAD.

This case was tried in the mayor's court of the city on Thursday last, and seems to have excited more than ordinary interest.

The defendant is a schoolmaster of some reputation, residing in Pine-street, having under his care and instruction, between forty and fifty pupils, between the ages of ten and sixteen. He was charged by the prosecutor, William Greble, with having committed an assault and battery upon his son, Edwin Greble, one of the defendant's scholars, a boy of about fifteen years of age.

The facts, as given in evidence, were these:—Sometime in June last, young Greble, coming into the school-room in the morning, either accidentally or by design, allowed the door to slam with more violence and noise than common. Mr. Coad, who thought the act intentional, desired the boy to return to the door and shut it quietly. He did so, but began muttering, and continued to mutter, saying, in an under tone, "that it was not his fault, he couldn't help it." Mr. Coad bade him hold his tongue, not to be insolent; but Edwin, when on his seat at his desk, repeated his mutterings; upon which, Mr. Coad, at last, ordered him to come out into the centre of the room, with the intention of either giving him rebuke or punishment. The boy, however, peremptorily refused to come out; and when Mr. Coad went up to him, and took hold of his collar, with a view to lead or drag him forward, he obstinately resisted, clinging with his feet to the desk and bench, and with his hands grappling Mr. Coad in such a manner as to prevent him from succeeding in his effort. In the struggle to master the boy, Mr. Coad, having him by the collar, and pushing him from his person, pressed his head upon the desk; a circumstance which the prosecutor dwelt upon as evidence of Mr. Coad's wish to *choke* the boy. Finding that Edwin was too active and determined for him, as matters then stood, the school-master got the knotted twine or rope with which he usually chastised the boys; after striking young Greble several times with this, the rebellious pupil very deliberately put his hand into his pocket, took out his knife, and threatened, if again touched, to stick Mr. Coad with it. The latter was then driven to take up, for the purpose of intimidation, a piece of loose wainscotting of the room; but it was clear that he had not used it. As he approached Edwin, the boy hastily jumped upon his desk, seized a slate lying at hand, and, after making one swing with it at Mr. Coad, held it in the air in a menacing attitude. Mr. Coad, in some manner getting under the desk, and laying hold of the arm which held the slate, succeeded in depriving Edwin of it; and then picking up a round mahogany ruler, which was at hand, struck the boy across the knuckles a smart rap, and obliged him to forego any further use of his knife. Edwin, now completely disarmed, gave up the battle, with loud and repeated shrieks and cries: and Mr. Coad directed a boy to run for the prosecutor, Wm. Greble, the father of Edwin. Before this direction, however, one of the younger brothers of Edwin, also at the same school, had gone out, and running up to his father, who lived close by, told him that Mr. Coad was choking Edwin. The prosecutor, snatching up his umbrella, rushed violently into the school room; struck his umbrella loudly on the floor, and, in language of the coarsest kind, demanded what his son had been doing, and why he was thus treated? It was in vain that the defendant requested Mr. Greble to retire with him into the parlor, where a full and satisfactory explanation could be made; he would not be appeased; and, after pouring forth some harsh epithets upon Mr. Coad, he was ordered to leave the house. Shortly after, in the course of the same day, a warrant from alderman Douglas required the at-

tendance of Mr. Coad. The alderman heard the cause of complaint; examined the wounds and bruises which young Greble said had been inflicted; found them to be, as he declared in his evidence, very trifling, and to have consisted of a slight scratch on the breast, near the neck, and a little discoloring on the upper part of one of the arms. Mr. Coad was, however, bound over to appear and answer at the June sessions of the mayor's court, and being thus bound over, indignantly rejected a proposal from Greble to drop the prosecution, provided he, (Mr. Coad), would pay the costs.

Much evidence was gone through collateral to the main facts. It was proved, that Edwin Greble had, on a prior occasion, when Mr. Coad called him up for his misconduct, refused to be even slightly punished, and had declared that if touched, he would stab his teacher with the knife he then held in his hand. Some evidence was offered to shew that the prosecutor had committed his children to the care and instruction of Mr. Coad, with the express stipulation that they were not to be corrected by him. Many of our most respectable citizens appeared on behalf of the defendant, giving him a character for capacity, industry, system and kindness, as a teacher, almost unexampled.

The case had been submitted to a jury at the June sessions of the mayor's court, and the verdict was one of acquittal; but, in exercising the right given to them by an act of assembly, the jury, while they pronounced the defendant "not guilty," adjudged that he should pay the costs of prosecution. Mr. Coad, conceiving this to imply a degree of censure, and feeling it altogether unmerited, applied, without hesitation, for a new trial, which the court, though they remarked upon the novelty of the application, felt no scruple or difficulty in granting.

The second trial began on Thursday morning, at 11 o'clock, and did not terminate till nine at night. The defence was not a *denial* of the assault and battery charged, but an *absolute justification*; the school-master, through his counsel, contending that it was his *duty*, as well as his *legal right*, to inflict adequate and reasonable punishment, and to maintain his authority among his scholars; and that, in fact, instead of exceeding the bounds of moderation, he had not, in this case, carried severity to its proper and salutary length.

The court charged the jury, on all the points, decidedly in favor of the defendant; and the jury, having retired with leave to seal up their verdict, when agreed, returned at 10 o'clock the next morning, pronouncing Patrick Coad "not guilty," and directing that *the county pay the costs*.

Mercantile Law Case.

From the Boston Intelligencer and Evening Gazette, May 26.

The circuit court for this district, terminated its session in this town yesterday, (Friday), several causes of interest were tried during the session. Among them was one of peculiar importance to the mercantile community, and involving a question which had received various decisions in the state courts, and about which eminent jurists still continue to differ. We have been favored with the following report, which we gladly publish for the benefit of those who did not attend the trial.

Haven and others vs. Holland.—This was an action of assumpsit upon a policy of insurance, dated 4th March, 1813. The plaintiff's insured 5,500 dollars on merchandise on board the ship *Volant*, on a

voyage from her last port in the Bay of Biscay to the U. States. The declaration alleged a total loss by hostile capture on the 25th March. The preliminary proofs having been read, which made out a case for the plaintiffs, the counsel on the other side resisted a recovery of the insurance, on the ground that the risk of the voyage had materially varied from what was contemplated by the parties, at the time the policy was subscribed. It appeared in evidence, that the Volant, being in France at the time of the commencement of hostilities between the United States and Great Britain, and having a cargo of great value to be transported to Boston, procured, under the advice of the commercial agents of the several shippers and owners in France, a commission or letter of marque from the president of the United States, authorising captain Perley, the master, and the officers and crew under his command, to make war upon enemies' vessels sailing upon the high seas. Under the protection of this commission, and an armament of considerable force, she sailed upon the voyage in question, on the 13th February, 1813. Soon after sailing, and whilst yet upon the coast of France, the Volant fell in with a British armed brig, called the Criterion, of which she made prize and sent her into Bayonne for adjudication, under the command of a prize crew taken from the crew of the Volant.

To rebut this evidence, and to shew that the possibility of such a rencontre and capture entered into the idea of risk assumed by the insurer, the plaintiff's counsel offered to prove that, at the time the policy was opened, it was matter of general notoriety in Boston, and specially in the defendant's office, that the Volant was commissioned and armed; and would sail upon the voyage with all the usual powers conferred by letter of marque, and that it was expected she would exercise such powers, if the exigencies of the voyage should require it. The admission of this evidence was objected to, as tending to explain the contract contained in the policy, which made no mention of the character of the Volant. The court, after some discussion, decided to admit the evidence, and reserve the objection, should it turn out to be material, for more deliberate argument at a future time. Several underwriters and officers of insurance companies were then called, who proved that, as early as January, 1812, it was known to them that the Volant was to sail with a letter of marque—that policies were then adjusted to meet this change—the assured generally claiming a reduction and return of premium on account of the supposed diminution of risk—and that new policies were then effected at forty per cent. whereas before that time, the rate of premium had been fifty per cent. They also proved that, in some instances, the Volant was described in the policy as an armed ship; generally, however, no notice was taken of her warlike character.

The plaintiffs proceeded next to shew, by the testimony of persons who were on board the Volant, that she did not sail in quest of prizes; but, on the contrary, that her master, who, as well as some of the passengers, had a deep interest in the voyage, made that the primary object of their care, and endeavored to avoid meeting other vessels; and that the capture of the Criterion was, under the circumstances, an act of self-defence. These circumstances were minutely stated by the witnesses on both sides. It appeared that as soon as the Criterion was discovered, the Volant changed her course to an opposite direction: that the Criterion had the wind and pursued the Volant, as the latter

approached a lee shore; that when they had got within fighting distance, the Volant, either to avoid the rocks, or the danger of being raked by the guns of the Criterion, or else to attack the enemy, wore ship and fired two guns, upon which the brig struck her colors. Considerable discrepancy existed in the testimony, as to the views and intentions of the master in ordering the manœuvres of the ship and commencing the fire. It appeared, however, that after the Criterion had struck, the Volant, having got to the windward, might have proceeded on her voyage without stopping to take possession of the prize, without the hazard of a renewed attack on the part of the Criterion. The case went to the jury upon the single point, whether the capture was made in self-defence, or for the purpose of gain?

Mr. Justice Story charged the jury with perspicuity and decisiveness. He said the question involved in the case was of great importance to the commercial world. It was to be determined how far a vessel, in the condition of the Volant, might go, without dissolving the contract of insurance. On the one hand, it was clear that a merchant vessel, armed for the sake of defence, and making prize of such enemy ships as fell in her course, could not lawfully cruise in pursuit of plunder without vacating her insurance—and on the other, it was, to his mind, equally clear, that, whether commissioned or not, she had a right to beat off an assailing enemy; and, if her safety required it, after the enemy had surrendered, to take out his crew, and put in their stead a part of her own men to navigate the vessel into port. The jury must decide according to the facts proved, which of these rules govern the present case. If, up to the time of the surrender, captain Perley had acted in self-defence, although he might then have proceeded on the voyage without danger from a second attack of the same vessel, yet he had a right, and perhaps was bound in duty, to stop and take possession of the prize; and the delay of the voyage occasioned by so doing, would not discharge the insurer.

The jury returned a verdict for the plaintiffs, finding specially that there was no deviation.

English Game Laws.

From the Edinburgh Review, for March, 1821.

Blackstone says, that the law of England, like that of every other well regulated community, is tender of the public peace, and careful of the lives of the subjects; 'that it will not suffer with impunity any crime to be prevented by death, *unless the same, if committed, would also be punished by death*' (vol. iv. *Commentaries*, 182.) 'The law sets so high a value upon the life of a man, that it always intends some misbehaviour in the person who takes it away, unless by the command, or express permission, of the law.'—'And as to the necessity which excuses a man who kills another *se defendendo*, lord Bacon calls even that *necessitas calpabilis*' (*Commentaries*, vol. iv. p. 187.) So far this luminary of the law—But the very amusements of the rich are in the estimation of Mr. Justice Best, of so great importance, that the poor are to be exposed to sudden death who interfere with them. There are other persons of the same opinion with this magistrate, respecting the pleasures of the rich.

'In the last session of parliament, a bill was passed, entitled, "An act for the summary punishment, in certain cases, of persons wilfully or maliciously damaging or committing trespasses on public or private property." *Anno primo*—(a bad specimen

of what is to happen)—*Georgii IV. Regis*, cap. 26. In this act, it is provided, that "if any person shall wilfully, or maliciously, commit any damage, injury, or spoil, upon any building, fence, hedge, gate, stile, guide-post, mile-stone, tree, wood, under-wood, orchard, garden, nursery ground, crops, vegetables, plants, land, or other matter or thing growing on or being therein, or to or upon real or personal property of any nature or kind soever, he may be immediately seized by any body, without warrant, taken before a magistrate, and fined (according to the mischief he has done) to the extent of five pounds; or, in default of payment, may be committed to the gaol for three months." And, at the end, comes a clause, *exempting* from the operation of this act, *all mischief done in hunting, and by shooters who are qualified!* This is surely the most impudent piece of legislation that ever crept into the statute book; and coupled with Mr. Justice Best's declaration, constitutes the following affectionate relation between the different orders of society: Says the higher link to the lower, "If you meddle with my game I will immediately murder you; if you commit the slightest injury upon my real or personal property, I will take you before a magistrate, and fine you five pounds. I am in parliament, and you are not; and I have just brought in an act of parliament for that purpose. But so important is it to you that my pleasures should not be interrupted, that I have exempted myself and friends from the operation of this act, and we claim the right (without allowing you any such summary remedy) of riding over your fences, hedges, gates, stiles, guide-posts, mile-stones, woods, underwoods, orchards, gardens, crops, vegetables, plants, lands, or other matters or things growing or being there-upon—including your children and yourselves, if you do not get out of the way." Is there upon earth such a mockery of justice as an act of parliament pretending to protect property, sending a poor hedge-breaker to jail, and specially exempting from its operation the accusing and the judging squire, who, at the tail of the hounds, have that morning, perhaps, ruined as much wheat and seeds, as would purchase fuel a whole year for a whole village?"

It cannot be urged, in extenuation of such a murder as we have described, that the artificer of death had no particular malice against the deceased, that his object was general, and his indignation levelled against offenders in the aggregate. Every body knows that there is a malice by implication of law.

"In general, any formal design of doing mischief may be called malice; and, therefore, not such killing only as proceeds from premeditated hatred and revenge against the person killed, but also, in many other cases, such as is accompanied with those circumstances that show the heart to be perversely wicked, is adjudged to be of malice pre-pense."—[2 *Haw*, c. 31.]

"For, where the law makes use of the term, malice aforethought, as descriptive of the crime of murder, it is not to be understood in that narrow restrained sense in which the modern use of the word malice is apt to lead one, a principle of malice to particulars; for the law, by the term malice, *malitia*, in this instance, meaneth, that the fact hath been attended with such circumstances as are the ordinary symptoms of a wicked heart, regardless of social duty and fatally bent upon mischief."

[*Post*, 257, 257.]

Ferocity is the natural weapon of the common people. If gentlemen of education and property contend with them at this sort of warfare, they

will probably be defeated in the end. If spring guns are generally set—if the common people are murdered by them, and the legislature does not interfere, the posts of game-keeper and lord of the manor will soon be posts of honor and danger. The greatest curse under heaven, (witness Ireland), is a peasantry demoralized by the barbarity and injustice of their rulers!

It is expected by some persons, that the severe operation of these engines will put an end to the trade of a poacher. This has always been predicated of every fresh operation of severity, that it was to put an end to poaching. But if this argument is good for one thing, it is good for another. Let the first pick-pocket who is taken be hung alive by the ribs, and let him be a fortnight in wasting to death. Let us seize a little grammar boy, who is robbing orchards, tie his arms and legs, throw over him a delicate puff-paste, and bake him in a bun-pan in an oven. If poaching can be extirpated by intensity of punishment, why not all other crimes? If racks and gibbets and tenderloons are the best method of bringing back the golden age, why do we refrain from so easy a receipt for abolishing every species of wickedness? The best way of answering a bad argument is not to stop it, but to let it go on in its course till it leaps over the boundaries of common sense. There is a little book called *Beccaria, on Crimes and Punishments*, which we strongly recommend to the attention of Mr. Justice Best. He who has not read it, is neither fit to make laws, nor to administer them when made.

As to the idea of abolishing poaching altogether, we will believe that poaching is abolished when it is found impossible to buy game; or when they have risen so greatly in price, that none but people of fortune can buy them. But we are convinced this never can, and never will happen. All the traps guns in the world, will never prevent the wealth of the merchant and manufacturer from commanding the game of the landed gentleman. You may, in the pursuit of this visionary purpose, render the common people savage, ferocious and vindictive; you may disgrace your laws by enormous punishments, and the national character by these new secret assassinations; but you will never separate the wealthy glutton from his pheasant.—The best way is, to take what you want, and to sell the rest fairly and openly. This is the *real* spring gun and steel trap which will annihilate, not the unlawful trader but the unlawful trade.

There is a sort of horror in thinking of a whole land filled with lurking engines of death—machinations against human life under every green tree—traps and guns in every dusky dell and bosky bourn—the *ferre nature*, the lords of manors, eyeing their peasantry as so many butts and marks, and panting to hear the click of the trap, and to see the flash of the gun. How any human being, educated in liberal knowledge and Christian feeling, can doom to certain destruction a poor wretch, tempted by the sight of animals that naturally appear to him to belong to one person as well as another, we are at a loss to conceive. We cannot imagine how he could live in the same village, and see the widow and orphans of the man whose blood he had shed for such a trifle. We consider a person who could do this, to be deficient in the very elements of morals—to want that sacred regard to human life, which is one of the corner stones of civil society. If he sacrifices the life of man for his mere pleasures, he would do so, if he dared, for he lowest and least of his passions. He

may be defended, perhaps, by the abominable injustice of the game laws—though we think and hope he is not. But there rests upon his head, and there is marked in his account, the deep and indelible sin of *bloodguiltiness*.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

On the arrival of the king at Dublin, the subjoined stanza was added to "God save the King;" and the newspapers mention that when it was sung in the theatre, it produced "a convulsive delight" through the house. "The whole house stood up—the ladies waving their handkerchiefs, and the gentlemen their hats, while the gods in the gallery indulged in transports too astounding for description!"

*Braving the ocean's roar!
George seeks green Erin's shore,
Blessings to bring!
Oh! how each tongue shall greet—
Oh! how each heart shall beat—
While HEAVEN and Earth repeat
God save the King!"*

It is stated that Mr. Price, of the New York theatre, who is at present in London, offered Braham, the English vocalist, forty thousand dollars, for two year's engagement—which he *refused!*—[We hope it is not true that Mr. Price made such an offer; and if it is, we are certainly much obliged to Mr. Braham for refusing it. We have no idea of taking up his notes at the rate of 20,000 dollars a year.]

The funds. We collect from Willich's Annual Lithographic Sheet, on the national debt and funds, made up to January 5, as under.

Funded debt of United Kingdom	801,565,301
Interest and charges	46,745,595
Sinking fund (total)	16,596,675
Unfunded debt	33,490,500
Redeemed by land, tax	25,726,200
Ditto by life annuities	5,834,382
Dividends lately claimed on	249,772
Ditto formerly, now in stock	422,600

The three chief stocks are 3 per cent. consols, 369,775,826*½*; the reduced 136,422,812*½*; and the 5 per cents. 141,710,529*½*.

The English debt is 772 millions; the Irish 24*½* millions, and that of Austria, secured by G. Britain 3 millions.

How the interest of this enormous load of debt, incurred during the late most unhappy wars, is to continue to be paid, with the other 20 millions for the current expenses of the state, over and above poor rates and other assessments, is inconceivable.

London paper.

Royal expenditure.—As the coronation expenditure has caused a great deal of comment, it may not be amiss (says the London Examiner) to enumerate the various calls which an illustrious personage has, up to the present time, made upon the liberality of the public, to provide for the free exercise of his well-known private tastes and inclinations:

1783.—Parliament voted the prince of Wales (who was just then of age) a separate establishment, with 50,000*l* a year, and 60,000*l* as an outfit.

1787.—The prince's debts having been for some time the subject of general conversation, the opposition, whose friend he *then* was, began to talk in parliament about the necessity of paying them. In consequence, some negotiation took place between the king and the prince, the result of which was, first, a message from his majesty to the commons, stating that he had made an advance of

10,000*l* a year from the civil list; and secondly, an estimate of the prince's debts. Upon receiving the latter, the house voted *seven hundred and eighty thousand pounds* to the prince to discharge his incumbrances.

1795.—The prince being married, the king sent a message to the commons, recommending a suitable provision, and announcing the great embarrassments of his royal highness. An act then passed settling on the prince and princess 125,000*l* a year, together with the rents of the duchy of Cornwall, estimated at 13,000*l*. But out of this income 75,000*l* were appropriated to the discharge of debts, under the direction of commissioners.

1803.—The prince again in trouble. Message from the crown to say so. Vote of an annual sum of 60,000*l* for three years and a half; in other words 210,000*l* principal money.

1812.—The prince becoming regent, 100,000*l* were voted him to defray the *charges of the change*; and 70,000*l* a year were granted for the additional expenses of the royal households, of which ministers stated, that 10,000*l* a year would be for the regent personally, and 10,000*l* for the queen.

1821.—For the coronation, say 150,000—Making a total (without reckoning interest, &c.) of more than *five millions, five hundred and fifteen thousand pounds*, paid to that illustrious personage since he came to the years of *discretion!*

N. B. All the money paid by the U. States of America to their chief magistrate, amounts in the same period, to about 140,000*l*. The United States have at the same time been governed with credit abroad and content at home. They sustained honorably a three year's war with the greatest naval power in the world, and their debt amounts to a sum within the hope of redemption.

NETHERLANDS.

Antwerp has become a place of great commercial importance. We have a table shewing some of the imports for the first six months of the present year, among which are enumerated 8,750,000 lbs. coffee, 8,336,000 do sugar, 6,000,000 rice, 177,579 hides, 1700 bags pepper, 12,854 bales cotton, 636 hhds. tobacco, with large quantities of other articles. The stock of cotton on hand, June 30, was 11 000 bales, of tobacco 2108 hhds. of rice 6,675,000 lbs. Arrived from the 1st Jan. to 30th of June, at Antwerp, 16 American ships and 19 brigs.

The guilder at Antwerp is equal to 20*d*. sterling.

SPAIN.

The pope has refused to sanction the appointment of two ecclesiastics, who were members of the extraordinary cortes of Cadiz during the war, and have seats likewise in the present cortes. The pope's nuncio has had the boldness to inform one of them that the bull was refused to him by his holiness, because in the cortes he had voted for the abolition of monasteries. The honest and spirited Spaniard replied, that, "as a representative of the nation, he was not accountable for his vote to pope or king."

GERMANY.

An attempt is making to establish a general standard of money, throughout Germany. At present, every little sovereign, some of whose principalities is not much larger than an extensive farm in the United States, may coin money, and ten or twelve different currencies may be met with in a day's ride, by which the bankers and other Jews make enormous profits.

PRUSSIA.

A paragraph under date of Berlin, July 11, states

that there has been lately a material reduction of the Prussian army. In 1817, there were 82 generals, with a pay of 290 rix dollars per month; 121 colonels, pay 200 rix dollars; 247 lieutenant colonels, pay 130 rix dollars; 655 majors, pay 130 rix dollars; 1,675 captains, pay 75 rix dollars; 1375 lieutenants, pay 30 rix dollars; 3,355 sub-lieutenants, pay 20 rix dollars. Making the whole number of officers 7,505, and their annual pay 4,783,780 rix dollars. The present number of officers is 6,658, and the annual amount of their pay is 4,436,000 rix dollars.

The finances of Prussia are exceedingly deranged. The army costs 28 millions and the debt 10 millions of dollars per annum. The necessities of the state, it is said, will render a further reduction of the army indispensable.

TURKEY.

A London paper of the 10th August says—"It is now confirmed, that the Grecian insurrections in Wallachia and Moldavia are wholly suppressed.—The Turkish government was enabled to send into these provinces a strong and well appointed army, commanded by one of its most experienced captains, soon after the insurrection became important. As soon as these forces came into contact with the revolutionists, the result was not doubtful. The hordes of Ypsilanti and Theodore never acted in concert, and it is fully believed that the latter was beguiled or betrayed by the former, and eventually put to death by his order. Added to this, the revolutionary ranks were filled with Arnauts, Wallachians, Moldavians, and Heteristes, most of them volunteers under a very lax command, and the whole under very imperfect discipline. The result was, that they were driven from post to post, until they approached the Austrian and Russian frontiers, when they were compelled to disperse, and seek an asylum, individually, wherever they could find it. The prince Ypsilanti fled into Transylvania, where he was suffered by the Austrian authorities to pass to the Adriatic, and it is believed he has since arrived in the Morea. This account is the most authentic, although the Austrian official papers are silent on the subject. Of the conjectures, one is, that he had headed a small party and penetrated into Servia, had reached Monte Negro, and had found an asylum among its independent inhabitants."

Intelligence from Odessa, to the 20th July, contradicts the account of the communication between that place and Constantinople having been interrupted; and states, that the Russian Courier, with the final despatches to the Porte, had not then arrived at his place of destination. The conditions prescribed by Alexander, are now said to be the evacuation of the provinces of Wallachia and Moldavia by the Turkish troops, leaving garrisons as before on the Danube, and the free passage of the Dardenelles, and amnesty to the Greeks.

It is again stated, in private letters of a late date, from the frontiers of Turkey, that the grand seignor had rejected the ultimatum of Russia, and given orders to prepare for hostilities.

The following is given as the proclamation of Ypsilanti, issued at the moment when he abandoned all hopes of success against the Turks:

"Soldiers! No! I shall not sully that honorable and sacred name by applying it to beings like you. Ye herd of dastardly and cruel men; your treachery, your perjury, force me to abandon you. In future, every tie is broken between us; but I shall always deeply feel the shame of having been your chief. You have trampled under feet your oaths: you have betrayed God and your country. You betrayed me

at a time when I hoped to conquer or to die gloriously at your head. We are now separated forever. Go and join the Turks, who are alone worthy of your friendship: steal out of the woods where you have concealed yourselves—descend from the mountains which you have chosen as the retreat of your cowardice. Hasten to join the Turks; kiss those hands which still reek with the blood of your church, your patriarch, your arch-priest, and your innocent brethren, whom they have so inhumanly butchered. Yes: run to purchase slavery with the price of your blood—with the sacrifice of the honor of your wives and children.

But you, images of the true Greeks of the sacred battalion, who have been betrayed and sacrificed for the deliverance of your country, receive from me the thanks of your people. Monuments will soon render your name immortal. The names of those friends who have remained faithful ever to me are engraved on my heart in characters of fire. Their memory shall be the only consolation of my soul. I abandon to the contempt of men, the injustice of Providence, and the malediction of their countrymen, those perjured traitors Kamirara, Sabras, Dukas, Constantinids, Basilus, Barlas, Glogius Manos, who have deserted from the army, and who have been the first authors of its dissolution: the Phanariote Gregorius Sutto, the Phanariote and scoundrel Nicholas Skufe. I also erase from the list of my companions in arms Basilus Karebis, on account of his indiscipline and improper conduct.

YPSILANTI."

Rinnick, June 20.

The Turkish force in Moldavia is said to consist of 60,000 men, with 100 pieces of cannon, and the strictest discipline is reported to prevail, so that murder and devastation has ceased in this quarter. The fragment of Ypsilanti's corps, (only 800 strong) had passed the Pruth, into the Russian territory. It appears that several partial actions had taken place, in which the Turks were uniformly successful. Some Greeks still remained in Moldavia, carry on a partizan or personal war against the Turks, but it was believed that that part of the population would soon be wholly expelled.

The Greeks have abandoned their attack upon Patras and Lepanto. The Turks appear to hold several places in the Morea, but are closely pressed, and much in want of provisions; yet the Greeks and Ionians were defeated before Latta, with the loss of 550 killed on the field and 40 taken prisoners, who were impaled alive or hanged on the spot.—The rage of the parties against one another seems to be equal, for it is said that the Greeks actually roasted a Turk before a slow fire at Mydra, after having cut off his nose and ears!

EGYPT.

A German paper says—The Prussian general, Mintoli, who has undertaken a new voyage to the eastern countries, has just written from Cairo to Berlin, that he has been so fortunate as to discover in the interior of a great pyramid in Egypt, a mummy, the head, hands and feet of which were gilt, and which is presumed to have been the body of an ancient king of Egypt. This confirms the supposition that the pyramids served for the mausoleums of the kings of that country. He has also found passages that lead from the interior of the pyramid into subterranean places, and believes that these may disclose an entrance to the celebrated labyrinth.

PERU.

We have accounts from Lima, by an arrival at Balumore, in 73 days from Valparaiso. An armistice

existed between San Martin and the royalists, and it was believed that the city must fall into the hands of the Chilians within a month after the breaking out of hostilities—(but we have had many such reports before). The brig Macedonian, of Boston, hitherto famous, is again conspicuous, and Cochrane has seized 100,000 dollars, said to belong to her owners. Com. Hardy had protested against the *extent* of the blockade, and it seems that he obtained his demand.

CHILI.

It is reported as probable, that a new party will rise up in Chili, and, perhaps, overturn the present government, which, if represented truly, is exceedingly despotic. It is stated that the governor of Valparaiso ordered two young Americans to prison, for neglecting to take off their hats as he passed them in the street!

MEXICO.

By an arrival at Charleston from Havana, we are furnished with the "articles of adjustment" that follow. We do not fully comprehend the amount of the matter as stated, much less see into the ulterior designs of the parties. The reader will form his own conclusions—we give the article as we received it. This is to be inferred—that the royal authority of Spain is extinguished, or that Iturbide is a traitor to the cause of independence. *Articles of adjustment entered into at Cordova, between don Juan O'Donoju, vice king, and don Manuel Iturbide, commander in chief of the imperial Mexican Forces.*

1st. This America shall be sovereign and independent, and called the Mexican Empire.

2d. Its government shall be a moderate constitutional monarchy.

3d. Ferdinand the 7th, on coming to Mexico, shall reign; in default, his heirs or successors in due order.

4th. The emperor shall fix his court in Mexico, the capital of the empire.

5th. Two commissioners from senor don Juan O'Donoju, shall depart and carry to the king of Spain this treaty, in the mean time the cortes of the kingdom offer him the crown under proper guarantees and forms, and request his compliance with the 5d article.

6th. Conformable to the spirit of the plan of equality, there shall be formed a junta of the chief persons of the empire for their virtues, their employments, their character, their riches, and the esteem they hold in public opinion, the number of whom are sufficiently considerable, that the reunion of their talents will assure obedience to their determination, that shall emanate from the authority and powers given them in the following articles:—

7th. The junta shall be called a provisional government.

8th. Senor don Juan O'Donoju shall be a member of it; but it is indispensable to omit some persons named in the plan, in conformity with the spirit of its intentions.

9th. The junta shall elect a president, by a majority of votes, either from among its own members, or from the public in general.

10th. The first act of the junta shall be to inform the people of its instalation, motives of its re-union, and any further explanations they may think of public utility; and the mode to be adopted for electing members to the cortes.

11th. The junta, after electing its president, shall

name a regency of three persons, chosen either from among themselves or the public, in whom shall be vested the executive power and government of the empire till the arrival of the monarch.

12th. The provisional government being installed, it shall govern according to the existing laws, excepting where they differ from the plan of equality, and until the cortes form a constitution for the empire.

13th. Immediately the regency is named, the cortes shall be called, conformable to the 24th article of the plan of equality.

14th. The executive power resides in the regency, the legislative in the cortes, and, in the interim of their meeting the provincial junta, shall exercise that faculty, in cases which admit of no delay, and the regency approve of the same: the junta is also to form an auxiliary body and counsel to the regency.

15th. Every person shall be at liberty to remove himself and property to wherever he may think proper, excepting debtors and criminals; consequently, Europeans, who are in America, and Americans, residing in the peninsula, shall be at liberty to adopt the country they prefer, on those leaving this country paying the duties on the property they carry away.

16th. In the foregoing article, public functionaries or military men, notoriously opposed to Mexican independence, are not included, but must necessarily leave the country within a period the regency will prescribe, taking with them their property, on paying the export duty.

17th. Senor don Juan O'Donoju offers to use his authority that the troops now in the city of Mexico shall quit it on an honorable capitulation, concurring with the wishes of the commander in chief to avoid the effusion of blood and the use of force.

Cordova, 24th August, 1821.

CHRONICLE.

The Small Pox. Sundry cases of the small pox have recently appeared in Baltimore. Great efforts are making to arrest the progress of this loathsome disease by vaccination and other means, which appear to afford the best prospects. It seems admitted that one case of small pox has occurred in one person that was believed to have had the vaccine—which shews how important it is that the latter should be subjected to the inspection of such as are qualified to decide on its character.

Midshipmen. The board to examine midshipmen, who are candidates for office in the present year, is soon to meet at New York. It consists of com. Bainbridge, com. Tingey, capt. Evans, and Mr. David P. Adams.

Fatal rencontre. Two parties of militia lately sent out in North Carolina, to scour the woods in search of some negroes whose depredations were feared, met each other in the night and fired upon one another, by which three persons were severely wounded—one of them dangerously.

Law! A printer speaking of law, called it "a sublime sue-ful and intricate science,"—meaning *useful*; but the "error of the press" was well enough.

Property at auction! The following advertisement is literally copied from a New Jersey paper: "To be sold on the 8th of July, one hundred and thirty one *suits at law*, the property of an eminent attorney, about to retire from business. Note—the clients are rich and obstinate."

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

AFFAIRS OF THE REGISTER. The bills for the current year's REGISTER have been delayed, in a hope that those of the last might have been more generally settled—but that hope not being realized, they will be sent out in the course of a few days, and the particular attention of those who make payment to our agents or immediately remit to this office, is respectfully invited to this *most important* matter!

THE YAZOO FRAUD. We copy from the "Southern Recorder," a concise, but highly interesting, and, we believe, an impartial statement of history of the famous Yazoo case; long since put at rest, but still too important to omit a *register* of, as a beacon for the future.

HEALTH OF BALTIMORE.		Interments for the week,			
ending yesterday morning, October 12, at sun-rise.		malignant.	other.	total.	under 5. col'd.
Oct.	6,	2	13	15	1 0
	7,	4	5	9	0 1
	8,	0	7	7	1 1
	9,	2	9	11	2 3
	10,	3	7	10	3 0
	11,	2	7	9	3 1
	12,	1	9	10	3 0

Whole number of interments 71

We regret to learn that several of the deaths by malignant fever in the last week, were of persons that had prematurely returned to their former residences on Fell's Point. There are no cases of the disease in other parts of the city.

This fever yet prevails at Norfolk, and the deaths by it are two or three per day.—*Thirty three* cases of the disease were announced at Fayetteville in three days, ending on the 1st inst. Some suspicious cases have appeared at *Alexandria*;—and the deaths there are numerous. Many parts of Virginia are exceedingly unhealthy—Shepherdstown and its neighborhood, especially so.

WILLIAM KILTY, esq. chancellor of the state of Maryland, died at Annapolis, on Wednesday last, after a painful illness, in the 64th year of his age. He was an honest, upright and enlightened man, and highly esteemed by all that had had business to do with him, either in his public or private character. *His death, we believe, has deprived Maryland of the only person that exactly knew what is the constitution of the state!*

Com. ALEXANDER MURRAY, senior officer of the navy of the United States, died on the 6th inst. near Philadelphia. His character and services will probably be mentioned in detail hereafter. *Com. Rodgers* is now the senior officer of our navy.

"OUR NOBLE SELVES." It affords us great pleasure to observe that the people of the United States are rapidly becoming convinced, that they must depend upon themselves for the means of prosperity; and we are glad to see, also, a retirement from that *spirit of trade*, which would deluge a world in blood, for the sake, as it were, of fattening our fields with that fluid, or making valuable freights out of dead men's bones!

VOL. XXI.—7

The following is an extract of a letter from a gentleman of Pennsylvania to the editor—we have, perhaps, received an hundred corresponding in idea, within the last two or three months.

"Idleness and extravagance must give way to industry and economy—and, as a reformation must necessarily take place in the habits and manners of the people, it would be well for the general government to give us the example. It is high time that a system, predicated on a continental war in Europe, should be abrogated, and that a new one should be adopted, under which we may enjoy prosperity, and which shall not be dependent on a state of devastation and carnage abroad. The prayers of Christians ought to be for "peace on earth and good will to men;" and such is the state of things among us at present, that what has generally been considered as a blessing to others appears to be injurious to us. In our situation, with regard to Europe, we seem to be placed similarly to the frogs with the boys—war is "death to them but it would be sport to us."

"These things ought not to be; and I am anxiously looking towards the next congress with the hope that they will adopt and pursue a course of policy under which prosperity will attend us, *even if peace should pervade the whole habitable globe.*"

PUBLIC DEBT, RECEIPTS AND EXPENDITURES. It is with unfeigned regret that we commit an error, though always pleased to correct one, if in fact or of inference. We reject that sort of policy which too much prevails, and leads many into the suppression or distortion of truth. We are also glad to see our articles noticed, nay, even combated,—provided we are fairly met with plain words that have positive meanings, arranged in sentences without *back doors* to creep out at. But our patience is sometimes pretty severely exercised, when we have to do with men whose great object in writing is so to express themselves that no one can get hold of them; because their sentences are so constructed as to admit of *explanations* that wholly do away the common acceptance of terms, and support facts, perhaps, opposed to those which were originally insinuated, if convenience serves or necessity compels them. We do not pretend to any *skill* in writing—we do not belong to the school in which those are placed at the head of the class who are the greatest adepts in throwing out words that "mean any thing or nothing"—but we have the satisfaction to believe that our homely language always passes just for what it is intended to represent, whether the opinions expressed or facts offered are right or wrong—true or false.

These remarks are general—by no means specially to be applied to what follows, else we should say so; though we are not without reasons to complain of the manner in which we have been treated.

The (Philadelphia) *Franklin Gazette*, of the 5th inst. takes a partial notice of my remarks in the *Register* of the 29th ult. on the public debt, &c. of the United States; but it is so *partial* that, in my opinion, it cannot afford the readers of that paper, who have not seen the article which it refers to, any thing like a just idea of its nature and tendency. If the matter was worth observation at all, it

was worth something more than has been said about it; at any rate, the *parts* noticed should have been fairly represented.

The writer charges me with "mistakes"—and, perhaps, there are some. It is a fact, that there is a considerable difference between the amount of revenue received, as given in the large table inserted in our last number (from whence we drew our items), and the sums respectively stated in the several treasury reports: the latter however, must be deemed as the superior authority; though each is called "official" and presumed to be derived from the same sources. Why these differences should exist, I cannot tell—it is very certain that I did not cause them; that I had not any thing to do with their manufacture:—but the amount of such difference is of secondary consideration to other things stated in the "Gazette." The editor (for the article is given editorially) is not quite free from "mistakes" himself, though he so readily imputes them to me.

I said—"a review of the state of the finances for the five years preceding the war and in the five last (including the present to the 31st Dec.), will afford much matter for serious reflection;" and then I shewed, from the documents before me, that the revenue from 1808 to 1812, (*inclusive of both, and both are put down*), amounted to 58 millions, and in five years from 1817 to 1821 (*as before*) exceeded 114 millions. But, in the face of this, the editor says—"Mr. Niles, to speak in round numbers, quotes the revenue for the FOUR years, from 1808 to 1812, at 58,000,000 dollars, out of which he says were paid, during the same time, nearly 20,000,000 of dollars in redemption of the public debt; which is about a third of the receipts, appropriated to that object."

"He then quotes the revenue for the FOUR years, from 1817 to 1820, at about 99,000,000 of dollars, of which he intimates that only a fifth or a sixth part has been applied to the reduction of the public debt."

Now this is not right; it appears like a wilful "mistake"—but, from my personal knowledge of the editor of the Franklin Gazette I cannot suppose that he would so commit one. Look at it—for one period he takes the amount of revenue for five years as stated by me, *calling them four*, and from the second deducts the revenue of one year (making, however, a "mistake" of a million) to suit it to the four years that he is pleased to make the period of both items! To requite his quotation, this "is really astonishing;" and the more so, because the two several periods are in the same column, and ranged year against year. The nature of the facts is thereby wholly changed, and the deductions from them must, of necessity, be wrong. I placed *five* against *five*—the editor, affecting to quote the substance of what I had stated, places *five* against *four*. Further remark is useless on this point.

Again—my purpose was to shew the relative proportions of the public debt that had been redeemed in those two periods of five years each, according to the amounts that were received into the treasury: the editor of the "Franklin Gazette," is pleased to take only *four*, viz. 1817, 1818, 1819 and 1820; "*during*" which, he tells us, "upon the assurance of a friend," that *forty-nine* millions have been paid "for the redemption of the public debt." Observe, he says "*during these years*," indeed, I should be glad to see how that amount is made up. We have before us the treasury reports of the 5th Dec 1817, and of the 1st Dec. 1820, which inform us that the public debt stood as follows—as inserted in our table, in the article alluded to, page 65.

On the 1st Jan. 1817,	115,807,805
On the same, 1821,	89,214,236
Louisiana debt, not paid	2,216,408
	*91,430,644

Redeemed, \$24,377,161
So we see that "*during*" the years 1817, 1818, 1819 and 1820, the secretary himself only shews a reduction of *twenty-four* millions, instead of *forty-nine* millions, as stated in the "Franklin Gazette;" and, as the accounts of the public debt are made up to the 1st Jan. of each year, we suppose there cannot be any misconception of the meaning of the word "*during*."

We have oftentimes frankly confessed that, in many respects, we could not understand the treasury accounts, and have even thought that the secretary himself committed some "mistakes," especially when he presented his different reports to the last session of congress—but the things that are noticed above, as well as what were stated in the REGISTER of the 29th ult. we humbly think, are of such a character that we ought to understand them. They are nothing else than plain figures, and the simple subtraction of one sum from another shews what is the reduction of the debt.

As I did make one "mistake" by carelessly supposing that the 5 per cent. stock, (subscription to the bank of the United States), was created in 1817, instead of 1816,—and, as the table of the receipts at the treasury, given in the last REGISTER, does not agree with the amounts stated in the annual reports for some of the years, we shall briefly offer a new exhibit to shew what has been the reduction of the public debt in the years originally stated—that is, in the five immediately preceding the late war, and in five years to end on the 31st Dec. 1821. In the 5 years—viz. 1808 to 1812 (inclusive of both) the sum received at the treasury of the United States, was \$38,443,009, exclusive of the amount derived from loans in the latter part of the last year. (These amounts are again taken from the table, because on a comparison of them with *Seybert's* exhibit, there is not any material difference.)

*See the statement page 65. The secretary of the treasury, in his report of 1st Dec. 1820, shews himself grateful for the *forbearance* that prevented a rude demand for the payment of this fragment of the Louisiana debt, some time due, and states that the amount of the public debt, on the 1st of Jan. 1821, would be 89,214,236, "*if*" the Louisiana debt should be discharged in the course of the current month—a thing that he no more expected to take place than that the whole of the public debt would be discharged in the same time. Why, then, was that "*if*" put there and an apparent deduction made for it?

†After the publication of the differing reports of the secretary of the treasury, not less than fifty essays, some of which seemed to be the product of men well skilled in figures and profound in matters of account, were published in the different newspapers—nearly a dozen in the National Intelligencer alone, to inform us what was the "real condition" of the establishment! We read many of these for our own satisfaction, and came to a general conclusion, that none of the writers understood the matter much better than we did ourselves, though we did not pretend to understand it at all. The like never happened before in the United States, and we hope that it will not happen again. The business should be as plain as A. B. C.

The debt, on the 1st Jan. 1808, was \$64,742,326
ditto on the 1st Jan. 1813 [*exclusive*
of the war loan of 1812] 45,905,452

Redeemed [except war debt] \$18,836,874

That is, the receipt of 58½ millions of regular revenue, enabled the government to reduce the regular debt in the sum of, say nineteen millions—an amount equal to one third of the whole sum received.

B; the treasury reports, it appears that the actual receipts in 1817, 1818, 1819 and 1820, amounted to 92,145,766, and the receipts of 1821 are estimated by the secretary at 16,550,000—together, 108,695,766.

The debt 1st Jan. 1817, was 115,807,805
Ditto 1822, (supposed) 194,500,000

\$21,307,805

That is, the receipt of 108½ millions enabled government to reduce the debt 21 millions, or not quite a fifth part of the amount paid into the treasury.

To exemplify the case yet more clearly—of every dollar paid into the treasury from 1808 to 1812, as regular revenue, *thirty three cents* went to the reduction of the regular public debt: and of every dollar so paid in, or to be paid in, from 1st Jan. 1817 to 1st Jan. 1822, only *twenty cents* will go to the reduction of the said debt.

It will be seen by comparing this statement with that in our paper of the 29th ult. though there was a "mistake," the result is very nearly the same—and the general fact of a vastly increased expenditure for the support of government, remains unimpaired; and we think, cannot be impaired.

With another exhibit we shall close this subject:

The regular receipts for five years to 1812, inclusive of that year, amounted to the sum of \$39,606,235, deducting the amount of the public debt redeemed, and excluding the war debt created in 1812; shewing that the regular cost of government was less than *eight millions* a year, including the interest on the debt, &c.

The whole receipts for five years to 31st Dec. 1821, will amount to 95,287,971, deducting the amount of the public debt redeemed, but adding the *eight millions borrowed* to defray current expenses, in 1820 and 1821—which shews that the cost of government was at the rate of about *nineteen millions* a year, including the interest on the public debt—or more than twice as much as in the other period of years, before the war.

It is admitted, that many extra expenditures (some of which we have highly approved of) have been made in the latter period, and there has been about three millions disbursed for the payment of militia, &c. Nearly five millions for *revolutionary pensions*!—4½ millions for the gradual increase of the navy, &c. and the amount of the interest due on the debt was much augmented—still, there is a great *difference* between the 39½ millions of the first five years, and the 95½ millions for the five last years—say 55½ millions of dollars, only three millions less than the *whole receipts* of the former period, though in that we redeemed nineteen millions of the debt!

If the public documents are right, the preceding is correct; and I invite the attention of Mr. Norvell (editor of the Franklin Gazette), to examine them

* It produced 10,002,000 dollars.

† We believe this will prove to be below the real amount, unless there are heavy arrearages.

for himself—and especially to shew me how *forty-nine* millions of the public debt were redeemed during the years 1817, 1818, 1819 and 1820, as he says was the case. I cannot find it out by my arithmetic.

In conclusion, Mr. Norvell says—"If the fiscal affairs of the nation are embarrassed, it may be attributed chiefly to four causes, namely:

"The large arrear of the war debt;

"The repeal of the internal taxes and duties when money was most wanted;

"The large amount of pensions to the soldiers of the revolution;

"And the great addition to the annual appropriation for the payment of the public debt.

We must offer a few remarks on each of these—

"*The large arrear of the war debt.*" Why not say something about the large amount of the peace revenue?—in 1815, \$43,552,825, and in 1816, \$36,743,574—together 86,296,399—eighty-six millions two hundred and ninety-six thousand three hundred and ninety-nine dollars;—more than twice the amount, at least *forty millions* more, than what could be esteemed as the regular revenue; an *excess* equal to about one third of the *whole expenses of the war!*

"*The repeal of the internal taxes and duties when money was most wanted.*" This will not do; it directly strikes at both Mr. Monroe and Mr. Crawford. The former *absolutely* recommended their repeal in 1817, and in doing so said, "To impose taxes, when the public exigencies require them, is an obligation of the most sacred character, especially with a free people!"—"to dispense with taxes, when it may be done with *PERFECT SAFETY*, is equally the duty of their representatives." Mr. Crawford, in his report of Dec. 5, 1817, followed up this lead—he wished for leave to purchase the public stocks at rates above par, but said, "it is not to be presumed that taxes will be imposed and collected, for the *express purpose of purchasing the funded debt above its nominal value*," and so he gave the internal taxes his *quietus*. How did it happen that these great men thus recommended the repeal of said taxes "when money was most wanted," according to Mr. Norvell's declaration?

"*The large amount of pensions to the soldiers of the revolution.*" This law was bottomed on a good principle, but miserably carried into operation, through the carelessness of its framers. It relieved some few worthy persons, but opened a door to a robbery of the treasury, which it was very hard, and perhaps *unjust* to shut, after it had been so opened; but the whole amount, paid such persons, is, I believe, short of five millions; and we have seen that in the *two years* when the chief part of this money was paid, we had an *extra revenue* of forty millions.

"*And the great addition to the annual appropriation for the payment of the public debt.*" Let us see how this is: From the year 1803 to 1817, the sinking fund, for the payment of the principal and interest of the public debt, stood at 8,000,000 per annum; in the latter year it was raised to 10,000,000. The following will shew how the account stands as to the "addition" that Mr. Norvell speaks of:

For our old period of five years, 1808 to 1812, inclusive, the sinking fund, at eight million per ann. amounted to \$40,000,000

For the five years to end with 1821, the said fund at ten millions a year, *should* have amounted to 50,000,000

† Treasury report Dec. 1817; do. Nov. 23, 1818.

But——nearly the whole of its surpluses, over the payment of interest, in the years 1820 and 1821 were used to defray the *current expenses of government*; in 1820, on the report of the committee of ways and means, and in 1821 without any ceremony at all!

Balance of sinking fund used for ordinary purposes in 1820	2,288,497
Do. 1821	4,522,223
	6,810,720

Nearly *seven millions*—so the “*GREAT ADDITION* of the annual appropriation for the payment of the public debt,” is a little more than *three millions* in the last *five years*, or, more exactly speaking, amounts to the *enormous* sum of not quite 650,000 dollars per annum, on an average! That is, *three millions* more in the last five years, when the whole revenue amounts to 108½ millions, than it was in five former years, when the said revenue was only 58½ millions. This does not tell well: it is a “*flame and impotent conclusion*.” We have lost more than half the sum of this “*great addition*,” annually, by the former vile management of the bank of the U. States, in the payment of the interest on our 5 per cent. stock, which constitutes a part of its capital, and hardly any one thought *that* worthy of notice—it was nothing in the great concerns of the nation! And what are 650,000 dollars a year to the United States?—A good deal for the people to pay, but a trifle for congress to vote away, or the executive to expend, or *lose*. The damages that we have sustained by the failure of certain *rag-shops*, (in which the public monies were deposited, and suffered to remain month after month; year after year, because, perhaps, they were managed by persons having much political influence), will almost amount to that sum; and the very “*candles’ ends and cheese pairings*” of things at Washington, will exceed this boasted “*addition to the annual appropriation for the payment of the public debt*.” The public defaulters would think it quite beneath their *dignity* to take such a small amount out of our treasury!

I wish that Mr. Norvell would publish my notices of the different messages of the president, and of the several reports of the secretary of the treasury, and those of the committee of ways and means, which are appended to the article which he has thought proper to assail—should he not like my abstracts, let him make others for himself; if the whole does not shew a great want of forethought and an enormous deficiency in prospective calculation, I do not understand the “*meaning of words*,” or know any thing of my mother tongue. I invite my readers to look at these things again—they will find in them cause for serious meditation. I am not opposed to the persons of the administration, or any of them; I do not assail any man, nor is there any able to purchase my praise unmeritedly, in this work. I do not ask or expect to receive any thing from government. My object is truth and aim economy—and, in the result of the operations of both, the happiness of my country, without regard, to the value of a cent, who it is that governs it—nor would I give one cent to *make a president*, by caucus or otherwise, on my own *personal* account. I just wish to be what I am; except that I would be glad of less drudgery in my business, an extension of my subscription list, and better and more prompt payment for my labors, with the sale of the sets of my work that, on account of the depression of the times, yet remain upon hand, which have cost me more than I am well able to keep locked up for future advantage. I know that such is the present state

of the public feeling—the flatness, or *pan-cake* condition of society just now in the United States, that an editor in *England* may impeach the king, even *personally*, with a less excitation of feeling than another in the United States can express his doubt of the *unerring* wisdom of the *measures* of our executive. I prefer the “*tempestuous sea of liberty*,” the struggles of parties during *Jefferson’s* administration, when the jealousy of one side kept the other straight, to this “*era of good feelings*.” *Vigilance is the condition on which liberty was granted to man*, and mistakes or misrepresentations shall not pass unnoticed when they affect the great interests of the republic, while I am editor of the REGISTER, though I know that some of the “*prefects*” of whom I have hitherto spoken, have interfered much to my injury. Let them proceed! the people are rousing themselves—there will be a reduction of offices and a diminution of salaries; and some of the high and haughty ones will suddenly find themselves lowered down among the people, without sympathy and without redress. Almost every department wants weeding—that of the *navy* especially, whose gallant exploits have made it so much a darling, that its affairs have not been looked into as those of the army have been. I have not examined the matter minutely, but, at a rough guess, I venture to say that, from 50 to 80,000 dollars are annually paid to certain officers, who, for many years, not even during the late war, *distinguished* themselves much farther than in having charge of a navy yard, or commanding a receiving vessel, &c. who would instantly resign, if ordered into actual service, unless they had a hope of soon being permitted to live at their ease again on the labor of others, and partake of the glory earned by their gallant companions on the navy list. It seems as if all were afraid to touch the navy, though any one may attack the army; yet the latter is as *meritorious* as the former. This lack of courage, this want of *equity*, perhaps, I should call it, has cost us immense sums since the peace; and, by the yet rapid increase of officers, it seems likely to cost us, unnecessarily, much more. But this is a digression—I shall take up the case at length hereafter, and reprehend the want of *something* that has suffered com. *Barron* to receive his pay without being permitted to do any thing for it—even to superintend a navy yard, or over-see the building of a schooner. The drones in this branch of the service stand in the way of honorable men, and they should be dismissed, if there is not any thing for them to do, if they are not fit to do any thing. Some of our best army officers have been sent into private life without any ceremony, save that of re-organizing the army, whilst many sea-officers that always were, now are, and forever will be, useless, are kept on the list, and fully paid for doing—nothing.

NEW WORK. Allen B. Magruder, esq. of Opelousas, Lou. proposes to publish a new work, to be entitled “*An historical view of the rise and progress of the trade and navigation within the valley and delta of the Mississippi; with statistical illustrations and miscellaneous remarks: to which is added a theory on internal navigation for the state of Louisiana*”—in two volumes.

From the prospectus that follows, it appears that this history will embrace an account of the settlements on the waters of the Mississippi, as well as a view of the trade; with notices of Alabama, Florida, &c. all which, we have no doubt, will prove highly interesting. We are quite anxious to possess the work. From what we have heard of Mr.

Magruder, he is well qualified to perform the task which he has undertaken.

COLOR OF PERSONS. A neat and useful work, called "The world in miniature," contains a variety of interesting facts appertaining to the slave trade—among them an account of a visit, paid by a white man to the king of the Akemists, a great warrior and potent monarch, who was excessively frightened at the hideous appearance of the "white sea-monster," as Christian slave-dealers were called by him, though he had not before seen one of these abominable animals. It was a long time before this valiant king could reconcile himself to the presence of the white man, who was regarded by him as a wild beast—but at last, he caused him to be stripped that he might see him naked—he touched the limbs of the "monster," with fear and astonishment, and at length exclaimed, "Yes, thou art indeed a man, but as white as the very devil."

THE SUSQUEHANNAH. A fine passage for arks and boats, has been made in the present season over the Conewago falls, hitherto considered the most dangerous part of the navigation of the noble Susquehanna, and at a very small expense. A smooth current of thirteen inches is now afforded, even in this dry season, which may be increased to thirty, or more, if thought necessary. There was only five inches water at this place before the late improvement. By the Susquehanna we shall receive abundant supplies of coal at a low price.

INTERNAL TRADE.—From the *Washington City Gazette*. Mr. Barrow, in his travels in China, says that the home trade only, is supposed to be necessary and deserving the protection of government. It employs such a multitude of craft, of one description or other, as to baffle all attempts at a calculation. I firmly believe that all the floating vessels in the world besides taken collectively, would not be equal, either in number or tonnage, to those of China—Foreign trade is barely tolerated.

MICHILIMACKINAC.—A letter from this place, dated June 10, says—"It is a most delightful and pleasant country; the winters are long and tedious, but the summers are serene and healthful, producing all the comforts of living."

"Were I to state to you the number of Indians that are hovering about this island in summer, you would hardly believe me when I say we apprehend no danger from them. It is common, during summer, to see from one to two hundred Indian wigwams, or lodges, (as they are called) stuck up at once on a beach of this little harbor, half a mile in extent, and each containing from ten to fifteen persons. I had the curiosity a few days since to go through the whole line, at a time when they were encamped in the greatest numbers they had been this season, to ascertain how many lodges there were, and how many they would average each. I counted, in one continued line, 165 lodges, averaging 10 persons to each, making 1,650 men, women and children. The streets are thronged with them, and the hills resound with their *hideous* and *savage* yells, from morning till night, and from night till morning. Yet they are peaceable—their object is trade with our fur merchants."

REVOLUTIONARY ANECDOTE—AND TIMELY APPLICATION. "The Americans must light the lamps of industry and economy."—This precept should be considered much more binding upon the people of

the United States at this time, than when it was penned by the great statesman and philosopher, who "drew lightning from the clouds." It was on the night the British parliament passed the oppressive stamp act, in February, 1765, that Franklin wrote to his friend Charles Thompson—"The sun of liberty is set; the Americans must light the lamps of industry and economy." The answer of Mr. Thompson was—"Be assured we shall light torches of quite another sort." They did—and the "torch of war" led them to liberty, glory and independence. We have no occasion now to light the "torch of war"—but we have every inducement to *light the lamps of industry and economy*; and we must do it if we would be prosperous and strong, able to defend our independence whenever it may be assailed by foreign foes. If we "light the lamps of industry and economy," we shall furnish ourselves what we now procure from abroad—we shall save our specie from going to England to pay for cottons, and woollens, and linens, and glass, which we might as well make ourselves, and which, if we continue to purchase from them, must eventually bring the whole nation, as they say in England, "upon the parish book." Our specie is finding its way across the Atlantic in almost every ship that leaves our shores—a large proportion of our national stock, and our bank stock, is already there. We must "light the lamps of industry and economy" in order to preserve what we have left which is solid and valuable, from being exchanged for *calico* and *small wares*.—[*N. Y. Journal*.

American Seamen.

FROM THE ALICANT JOURNAL OF FEBRUARY 14, 1821.

On the 7th of this month, after a continuation of Levanters, to which this bay is exposed, and with a very heavy sea, caused by the storm without, and rendering it impossible to effect a landing on the wharf from the terrible surf which broke on every part of it—a Swedish boat, with two sailors little accustomed to these shores, was suffered by them to be drawn to the most dangerous spot at about a mile distant from the wharf, where it was overwhelmed by three successive breakers. This being observed from the shore by lieutenant Whipple, of the United States' brig Spark, he, without a moment's hesitation, dashed into the sea to the assistance of those unfortunate men, and saved their lives. On the 9th, the same occurrence happened with the boat of the same brig, wherein twelve individuals were coming ashore; lieutenant Whipple, being then at his lodgings, where he had since remained to re-establish himself from his former fatigues, no sooner heard of this fresh accident than he rushed in haste down to the beach, and plunged, with intrepidity, into the furious waves, braving a thousand dangers and struggling with almost certain death, inasmuch that had not assistance been sent him, he would have fallen a victim to his heroic generosity.

While we lay before the public this sublime trait of humanity, far more easily to be admired than imitated, we should remind them that such are the results of that system of liberty by which that happy nation is guided of which he is a member, where reason and justice have placed their throne and extended all their dimensions over the human heart.

We have been eye-witnesses of what we have related, and have beheld this American hero exceeding even himself, despising his own life to save those of his fellow creatures, regardless of the difference of nations, and of every circumstance but

such as were dictated by the most refined beneficence.

A man of more moderate feelings may, on some occasions, urged by momentary circumstances, do a brilliant and extraordinary action, but when these deeds are repeated, and under different circumstances, we have evidential proof of what is the true character and temper of the soul of that individual who is the actor of them.

Had such events taken place in the days of the enthusiastical republic of Rome, we should have seen Whipple enter triumphant with a civic crown, the well-merited reward of his virtues.

Alicant, with admiration, has beheld, and, with affection, will remember them—she will relate them to her children as a model of singular heroism, and as the clearest proof of what free institutions will give birth to, which so influence the manners and transport the soul to actions, that awake the attention and esteem of every feeling man.

*United States' ship Columbus,
Bay of Gibraltar, 7th May, 1821.*

SIR—I have received with great pleasure, your communication, relating to the admirable conduct of lieutenant Whipple, sailing-master Shute, and midshipman Cutts, of the United States' brig Spark, under your command, on the 9th of February last, in rescuing from a watery grave the seamen attached to the Spark's launch, which overset in the bay of Alicant. You will be pleased to express to those gentlemen my high estimation of their conduct on that occasion, and particularly to lieutenant Whipple, whose gallant exploit in saving the Swedish sailors on the 7th of the same month, commanded the high admiration and applause of the people of Alicant, who witnessed his noble daring.

I am, with great esteem, yours,

WM. BAINBRIDGE.

To lieutenant-commander Gordon, U. S. brig Spark.

Civil and Religious Liberty.

Extract from the charge of chief justice Mellen to the grand jury, for the county of Somerset, Maine.

"Our government is founded on principles of equal rights and privileges. Every man has claims to distinctions—to honor, and to offices, when he can found those claims on his own merits and the virtues of his life. We are not at liberty, then, to thwart our own principles, and by neglecting to furnish the means of early education, deprive thousands in the community of the privileges which belong to them; the privilege of becoming men of talents—men of extensive usefulness and ornaments to their country.

"In connexion with the subject of public schools, it is natural to look to the innumerable advantages resulting to the community from the religious instruction of the pulpit. Enjoying, as we do, the most ample liberty of conscience, we are without excuse if we do not prize it as it deserves, and avail ourselves of the countless blessings which it places within our reach. We have the privilege of worshipping God according to the dictates of our own consciences: let us not then abuse the privilege by neglecting it.—Indeed, a steady, serious and sincere observance of the worship of God in his sanctuary, and reverence for the institutions of religion, are the only sure and effectual proofs which we can give to the world of the exalted estimation in which we hold this privilege.

"As we prize and cherish our liberty, we have, as citizens of a free country, peculiar reasons for

cherishing and advancing the christian religion.—In illustration of this truth, I cannot express myself so happily as in the words of a distinguished divine, and excellent man: 'Religion,' he observes, 'befriends liberty. It diminishes the necessity of public restraints, and in a great measure, supersedes the use of force in administering the laws; and this is done by making men a law to themselves. Take away the purifying and restraining influence of religion, and selfishness, rapacity and injustice will break out into new excesses, and, amidst the increasing perils of society, government must be strengthened to defend it. Diminish principle and you increase the need of force in a community. In this country, government needs not the array of power which you meet in other nations. No guards of soldiers—no hosts of spies—no vexatious regulations of police. But it accomplishes its beneficent purposes by a few unarmed judges and civil officers, and operates so silently around us, that many of us enjoy its blessings with hardly a thought of its existence. And this is the perfection of freedom.—We owe all this to the power of those laws which religion writes on our hearts;—which unite and concentrate public opinion against injustice and oppression: which spread a spirit of equity and good will through the community. This religion is the soul of freedom; and no nation under heaven has such an interest in it as ourselves.'"

Army of the United States.

*Adjutant general's office,
Washington, 3d October, 1821.*

GENERAL ORDER. Since the promulgation of the general order of the 16th August, 1821, the following promotions, transfers, &c. in the army, have been sanctioned by the president of the United States:

PROMOTIONS.

First regiment of artillery.

Brevet 2d lieutenant Charles Dimmock, to be 2d lieutenant, 1st July, 1821, vice Walker, transferred.

Fourth regiment of artillery.

2d lieutenant H. Brown, to be 1st lieutenant 23d August, 1821, vice Washburn, deceased.

Brevet 2d lieutenant E. C. Ross, to be 2d lieutenant, 1st July, 1821, vice Brown, promoted.

Second regiment of infantry.

Brevet 2d lieutenant Alexander Morton, to be 2d lieutenant, 1st July, 1821, vice Vandeventer, deceased.

Third regiment of infantry.

Brevet 2d lieutenant Otis Wheeler, to be 2d lieutenant, 1st July, 1821, vice Caldwell, resigned.

Brevet 2d lieutenant Henry Bainbridge, to be 2d lieutenant, 1st July, 1821, vice Tolson, resigned.

TRANSFERS.

Agreeably to a provision in the general order, of 17th May, 1821.

Benjamin Walker, 2d lieutenant, 1st artillery, to the 3d infantry, 31st December, 1819, vice Hayward, resigned.

On mutual application, without prejudice to the rank of any officer—

Captain Bennet Riley, of the 5th, to the 6th infantry.

Captain Matthew J. Magee, of the 6th, to the 5th infantry.

First lieutenant J. W. Phillips, of the 4th, to the 3d artillery.

* DR. CHANNING.

First lieutenant I. A. Adams, of the 3d, to the 4th artillery.

The president of the United States, having decided that brevet 2d lieutenants, appointed from the military academy, when promoted to 2d lieutenants, shall take rank from the date of their brevet commissions:

Clark Burdine and Seth M. Capron, promoted by the general order of the 16th August, will take rank as 2d lieutenants, from 1st of July, 1821.

The general in chief announces the above promotions and transfers to the army, and directs that those officers whose stations are changed by the foregoing arrangements, will report for duty accordingly.

JAMES GADSDEN,
Colonel and adjutant general.

Auction Duties.

FROM THE NEW YORK GAZETTE.

At a meeting of the United Dry Good Mercantile Association, held at Washington Hall, on the evening of the 24th, when the following report was read and approved, and the annexed resolutions adopted.

The committee of vigilance of the United Dry Good Mercantile Association, at whose request this meeting has been convened, beg leave respectfully to

REPORT:—

That, owing to a variety of causes, a few of which the committee will take the liberty briefly to mention, the resolutions entered into by the members of the association, on the 31st of May last, have not been followed by those results so generally desired and expected. That the first impression upon the auction system was powerful, and excited alarming apprehensions of its overthrow in the bosoms of its abettors, cannot be denied. In adverting to the reasons why such a result has not been realised, the committee are naturally led to notice the causes to which they have above alluded.

1st. A want of complete uniformity of views upon the subject. A few were unfavorable to the suppression of auctions; still, being *but a few*, and generally small dealers, had they stood alone, their unfriendliness to the measure would have been wholly ineffectual. But to these it must be added.

2d. Those who, though perfectly satisfied of the evil nature and tendency of the system, from interested motives, instead of joining hands with others for its suppression, chose rather to indulge a sordid spirit, in looking for self-advantage among the sacrifices, which they hoped would attend the conflict.

3d. A very numerous, and by far the most important class of those whose course has tended to defeat the object of the association, are those from populous towns, and sister cities, more or less remote, invited hither in part by the fact, that most of the goods imported into the United States are landed at New York, and partly by the inducements which the existing state of things here, in relation to auctions, holds out.

These three sources united, have thrown such an amount of purchasing interest in the auction rooms, that sales (less frequent, and of a more limited amount than formerly, indeed,) have from time to time been held—and of late, so considerably is the number of foreign purchasers augmented, that

were every individual, from the other classes specified, to withdraw and to co-operate with the association, it is believed that for some time to come, there would be a deficiency of goods, rather than of purchasers, at auction.

But to the foregoing causes must be added, as a 4th. The humiliating fact, that the American importers, who are almost to a man in favor of suppressing auctions, owing solely to their operation, have fallen behind the British in the amount and variety of their imports; while in some instances at least, the latter are notoriously pledged for the support of auctions, and are indebted to them for that precedence to which, on the score of taxes paid, and services, civil or military, rendered, they are wholly unentitled. Nor is it strange, that with such a patronage, purchasers may be in a measure compelled, for the sake of an assortment of goods, to attend auctions, when the price at which they are obtained, is far from being an inducement.

Had our large towns and cities, promptly and fully co-operated in the design, a more gratifying result would have been witnessed; but the experiment has evinced, that no measures of a local operation merely, will produce the desired effect. It is to congress alone that we must look for adequate relief.

With this view of the subject before them, the committee have been sensibly impressed with the belief, that the object which the association was designed to effect, cannot be compassed in the way then proposed. The committee have been aware, that numbers of the association, seeing that its object was not likely to be attained, were desirous that a meeting should be held to consider and decide upon the course proper to be pursued. A respectful intimation of the above nature, occasioned the present meeting.

Important and solemn pledges, deliberately entered into and sanctioned by the approbation of the public, ought not, on trivial grounds, to be left unredeemed. Deference to the public, as well as to ourselves, demands something explanatory of our proceedings.

The committee fully believe, that the members of the association are now as desirous of discountenancing and suppressing sales by auction, as they were in May last. They fully believe that the only ground upon which they could consent to relinquish the present measures, is a discovery of their inadequacy, to the purpose for which they were adopted. That their sentiments upon this subject, however, may neither be misunderstood, nor misrepresented, the committee beg leave to recommend the adoption of the following resolutions:

Resolved, That we regard the system of sales by auction, as immoral in its tendency; calculated to foster the interests of foreign manufacturers, and agents, at the expense of the regular American merchant; and one which every good citizen should lend his influence to suppress.

Resolved, That the standing committee of the association be, and they are hereby fully empowered, to prepare and forward to congress a suitable memorial in relation to this subject, on our behalf—to correspond with such individuals and societies as may be disposed to co-operate for the same purpose, and to convene this association whenever they may deem it expedient.

Resolved, That so much of the resolutions, adopted on the 31st of May last, as goes to restrict the members of this association from being concerned in purchases and sales at auction, during the re-

mainder of the term for which they are associated, be, and the same is hereby repealed.

Respectfully submitted.

By order of the committee.

STEPHEN LOCKWOOD, Chairman.

Resolved, That the foregoing report and resolutions be signed by the chairman and secretary, and published.

JOHN VAN VECHTEN, Chairman.

JNO. W. LEAVITT, Secretary.

N. B. The votes taken on the three first resolutions, stood as follows:—The first, unanimous—second, but two dissenting voices—the third, by a majority of two. Several members being absent, the votes stood 64 to 62.

The trade of the Canadas,

FROM THE QUEBEC GAZETTE, AUGUST 30.

The American newspapers have lately announced the arrival of some portions of timber from lake Champlain in the Hudson, by the canal which has lately been cut from Whitehall, at the southern extremity of the lake of the Hudson river, near Fort Edward; and the same papers also state, that the navigation of the Hudson will shortly be improved, so as to admit of sloops proceeding up to the mouth of the canal.

When these works and the great canal and its branches, connecting the Hudson with lakes Erie and Ontario will be entirely complete, a period, which, according to every probability and the positive statements of the American authorities, will not exceed two years from the present time, the wishes of sir Isaac Coffin and his friends, will be complete. Canada, nor Great Britain, will no longer be troubled with American produce, and the passing by the St. Lawrence in British shipping. It is even possible, that in so far as the trade between the Canadas and Great Britain is concerned, it may be said to be sunk to the bottom of the seas.

We do not think that the United States will make any distinction between the produce of the Canadas and that of the United States. We dare say that they will gladly see it put on board of American ships, or the ships of any other nation, to be transported to any part of the world where it can find a market; and that returns will be cheerfully forwarded by the Champlain and Erie canals on paying the common fare.

We do believe that unless something is done speedily, to remove the inducement of higher prices of produce, and equally low prices of imported merchandize, and of the substitutes of American manufactures, that this will be the course that the trade of the Canadas will take in a very few years. The cost of transport from all the settled parts of Upper Canada, to New-York, by the great canal, will be little more than the cost of transport to Quebec, and the cost of the transport of the returns, will probably be something less.—It is well known that, notwithstanding the duties which the American government levies on certain descriptions of imported merchandize, particularly such as are of British manufacture, goods generally sell as cheap (if not cheaper) at New-York as at Quebec and Montreal. This the American merchant is probably enabled to do, by the profits which he makes on his outward cargoes, sent to any foreign market which may happen to be the most advantageous; he is also forced to be the best management, and to be satisfied with the lowest possible profit, by a very extended and active competition.

The United States also, now manufacture a variety of cheap articles suited to their own consumption, which are equally adapted to the Canadas.

The lake Champlain canal and the improvements of the Hudson, which we understand will be completed *this season*, will afford as great facilities to Lower Canada. We question if the best market for the wheat of the river Chamby, is not now at New-York, to which it may be exported from St. John's at very little more cost from the basin of Chamby to Quebec, where there is no demand for it. The Saint Lawrence, the river Chamby, with the contemplated improvements in its navigation, lake Champlain, and the Hudson, would form an uninterrupted navigable communication between every part of Lower Canada and New-York.

It may seem strange, incredible, that the bounty of nature, the finest navigable river in the world, should be rendered useless as an outlet to the sea, by works of art and artificial regulations; but whoever will consider by what law trade is naturally regulated, the course which we have supposed the trade of the Canadas will take, under the permanency of the existing legislative regulations of Great Britain, is neither fanciful nor far distant.

The only thing wonderful about it is, to see two maritime rivals, co-operating in the same result.

The legislature of Tennessee

Met at Murfreesborough on the 17th ult. Sterling Brewer, esq. was chosen speaker of the senate, and James Bentress, esq. speaker of the house of representatives. On the same day governor M^{rs} Minn sent to both houses a long message, from which we make the following extracts, as those of most general interest:

The actual cash capital of the "*Bank of the state of Tennessee*," is, at present, two hundred thousand dollars, and there is due to it, from the purchasers of public lands, four hundred and fifty thousand dollars, including an item of eighty-five thousand dollars, which has been due for some years, and has been drawing an interest of six per cent. To these may be added the sum of twenty thousand dollars paid into the Knoxville bank, for stock owned by the state; making an aggregate of six hundred and seventy thousand dollars, which admits of a regular and certain increase from ordinary revenue, and from the sale of public lands yet to be made in the Highwassee district. Independent of the vacant land still unsold in that section of country, an unappropriated residuum of twelve millions of acres, in other parts of the state, east of the congressional reservation line, remains virtually pledged to a redemption of all the issues of the bank, in such manner as you may, from time to time, direct.

Aided by all these means of substantial capital, and under the operation of a wise and cautious policy in the management of its affairs, the beneficial influence of the bank has, to a limited extent, been already seen and acknowledged in every part of the state, and the credit of its paper been sustained, upon a scale equalling the expectations of its earliest supporters, and calculated to quiet the apprehensions of many, who were honestly fearful of principles, which, in their view, wanted all that force of authority which can seldom be acquired but by the test of practical experiment. 'Tis true that the paper of the bank does, in common with the paper of every other bank in the western states, hold an estimated value below the standard of gold and silver, or the paper of banks in the eastern cities, and this difference will even be found to ex-

ist in some degree, amongst those who deal in foreign fabric. But, happily for the growing prosperity of the country, the influence of these dealers is passing away; the demand for foreign goods is daily diminishing; the difference of exchange has, within few weeks, fallen more than one third, even among the money dealers, and its effects are sensibly felt by none but those who purchase articles of fancy, which are generally of no substantial value, whilst the economical planter, who lives as he ought upon the product of his own farm, and limits his purchases to the legitimate objects of domestic expenditure, will find in the paper of this bank a medium of exchange suited to the nature of all his wants.

The high views which I at first entertained of the benefits to be derived from the establishment of this bank, have been strengthened and confirmed by a careful examination into its progress and effects, since the commencement of its operations, and I yield to the fullest conviction that, under the virtuous and wise measures most likely to be adopted in its future operations, these benefits will be continued and enlarged. A detailed report of the transactions of the board of directors, in conducting the affairs of the institution, will be laid before you at some early period during the session, from which, I trust, you will be enabled to judge of the capacity and industry which have been exerted in placing the resources of the state in a situation the most likely to advance its permanent interests.

It has not yet been thought proper to make sale of the stock, authorized by the sixth section of an act, supplementary to the act establishing the bank, but so strongly am I persuaded of the propriety of making the sale at some future day, that I would recommend an augmentation, to the amount of five hundred thousand dollars. This should be redeemable at the pleasure of the state at any time after the expiration of twelve years, or at any other day after the last instalment becomes due from the purchasers, at the late sale of Highwassee lands. The cash to be derived from such sale of stock, would afford a present fund to the amount, in addition to what is already held, as an active capital in the purposes of the bank; and for its certain redemption, the different items already mentioned, amounting in the whole to twelve millions of vacant land, and six hundred and seventy thousand dollars, and also the faith of the state, would stand irrevocably pledged.

Although much has been done by the persevering industry of the people, supported by all the assistance which the character of the bank of the state was calculated to afford, in relieving the great body of the community from the embarrassments into which they had incautiously, though in some instances very innocently, been drawn; still the philanthropic statesman, whose sense of duty is satisfied by no achievements which stop short of the highest possible service, finds in the nature of the difficulties, by which many of his constituents are yet surrounded, the most ample scope for the indulgence of his warmest sympathies, and the exercise of his highest attainments in political science. This subject has occupied a larger share of my anxious solitudes than any other, perhaps, within the plan of our municipal economy, and in every deduction drawn from the most rational course of probable conjecture, as well as from a recurrence to facts which have passed within my own knowledge, I am more and more confirmed in the belief, that the condition of the debtor class of our fellow-citizens would be greatly ameliorated, and the substantial

interest of the creditor promoted, by a law "directing that valuable property of the debtor," should be received by the creditor at some estimated proportion of its real worth, or that he should, at his discretion, delay the collection, upon sufficient security being given that the amount would be forthcoming on the day to which the indulgence might be extended. A measure bottomed on these principles is usually termed a *property law*, and having had the honor of presenting it to the view of the legislature at their last session, I used that occasion to detail at some length, the rules by which, in my estimation, it might be made to meet the exigencies of the times. The duty of the levying officers, in requiring them to receive such property only as may be of intrinsic value, cannot be defined with too much precision, in guarding against the impositions which debtors might sometimes wish to attempt.

The privilege of replevying property, levied on by execution, has been extended to debtors in former times by provisions of the legislature, and with the happiest effect; and under a firm conviction that it could in no manner contravene the principles of the constitution, and with a full recollection of multiplied instances where its application had been extensively useful; this also was at the last session exhibited to the favorable consideration of the general assembly. At that time other modes of relief were adopted and anxiously relied on, but the experience of another year has taught, that, in order to secure the greatest benefits from the operation of any one measure, the auxiliary influence of others should, as far as practicable, be brought into the general system. The loans to be expected from the bank of the state must and will be measured by the capital stock actually within the control of the directors, and with whatever reluctance they may be compelled to reject the calls of that community, for whom alone the bank was instituted, the deleterious effects resulting from excessive issues will ever be held in view by those in whose hands so high a discretion has been confided.

The right of personal liberty makes so permanent a feature in the first principles of every free government, that its perfect security cannot be jeopardized, except on public considerations of the highest necessity, and the framers of our constitution were so sensibly alive that they have, in the bill of rights, protected the body of a debtor, under certain circumstances, from imprisonment, after a surrender of all his effects in such manner as might be prescribed by law. The provisions, which have been made subject to this restriction, were, perhaps, founded upon a just view of the habits, customs and state of society in its first organization; but I respectfully submit to your better judgment, whether a repeal of the law subjecting debtors to imprisonment, would not comport with the more refined state of government. In many cases, admitting the process of imprisonment, the mode of collecting the jailor's and other fees is so badly defined, that impositions are daily practised without any known recourse of redress; and even should it be thought necessary to continue the force of existing penalties, the utmost extent of their liability, should be marked by intelligible limits.

It affords me the highest satisfaction to be enabled to say, that the receipts of the treasury are abundantly sufficient to meet all the current demands, without recourse to any increase in the rates of taxation, and without a curtailment of any expenditure. The sparing hand with which the public revenue was disbursed in the early history

of our government, and the rigid adherence to the same practice which has been observed by the legislature to the present day, has enabled us to meet, on application, every demand to which the treasury was liable, by a rate of taxation scarcely felt by the people.

Yazoo Fraud and Bribery.

FROM THE SOUTHERN RECORDER, OF SEPT. 18.

Of the many attempts which adventurers have made to enrich themselves, at the public expense, by practising on the cupidity of statesmen, none were more flagitious than the Yazoo Fraud. The South Sea bubble and Mississippi Scheme had their origin perhaps less in knavery than folly, and the mischief they produced was transient. They ruined, it is true, a few distinguished, and some thousands of obscure persons, but were unimportant in their consequences to the nations where they rose and burst. The shock soon passed away; it affected neither the strength, nor the integrity of the empire, and left behind it little else besides its lesson and the wrecks of fortunes and reputations which it had destroyed. But the Yazoo Fraud was a permanent curse upon the state which it dismembered, whose power it crippled, and over whose character, polity and happiness, it long had the most malignant influence.

We would willingly spare ourselves the details of this odious transaction. But it is on the crimes of the past, that history must shed her steadiest light; they are destined to become the beacons of the future.

Several projects for the sale of large tracts of country, within the limits of Georgia, were at different periods, presented to the legislature. However contrary to good policy, they were listened to. But it is probable the majority of that body, never had sagacity enough to foresee the rapidity with which population and wealth would increase, giving to their progress an immense value to what was then a wilderness.

Be that as it may, however, we find them in 1780, (1) entering into a contract with three companies, for the sale of fifteen or twenty millions of acres of land, including a vast tract bordering on the Mississippi river.

But a dispute arose about the payment of the purchase money, and the condition upon which the grants were to issue, was not complied with.

During the session of 1794-5, the general assembly passed an act conveying to four associations called the Georgia, the Georgia Mississippi, the Upper Mississippi and Tennessee companies, about thirty-five millions of acres of land, lying between the rivers Mississippi, Tennessee, Coosa, Alabama and Mobile.

The bill was warmly contested in both houses, and had also to encounter opposition from the governor. It ultimately passed however, by a majority of ten in the house of representatives, and two in the senate. (2)

The sale of so large a territory was received by the people with an almost unanimous burst of indignation, for it was soon known that nearly all the members who voted for the law, had been, either directly or indirectly, corrupted by the purchasers.

(1) Laws of Georgia—Watkins' Digest, p. 387.

(2) Among the names of the senators who voted in the negative, and who afterwards took an active part in the politics of the state, we perceive those of Irwin, Milledge and Mitchell.

On their return to their homes, they were met by their constituents with the most marked dissatisfaction, and in some instances, narrowly escaped the popular indignation, to which it is said one of them actually fell a victim. (3) The discontented, who were indeed the mass of people, soon found a determined leader in James Jackson, afterwards governor of the state and a senator in congress. He was elected to the legislature at its next session, and became a member of the committee who investigated the conduct of their predecessors, and reported the evidence which proves their corruption. (4) The act was rescinded. All traces of its passage expunged from the records of the state, and the grants solemnly annulled. Lest the authority of the ordinary legislative body should be thought inadequate to these important purposes, the will of the people was more solemnly and deliberately expressed by the convention of 1798.—That body re-asserted, in a constitutional article, the invalidity of the grants, and the fraudulent means which had been used to procure them. The stockholders of the different companies were allowed to withdraw the proportion of the purchase money which they had advanced, upon making oath that they had not transferred their interest. A privilege of which the least scrupulous of those who had actually sold, are said to have availed themselves.

The statesmen who adopted these measures, could not be insensible to the difficulty of their situation. Much of the stock has past out of the hands of the original holders, into those of foreigners and citizens of the eastern states, with whom capital was much more abundant than with the people of Georgia. These persons, really or pretendedly ignorant of the arts practised to obtain the grants, claimed to be considered as innocent purchasers. They insisted on the constitutional authority of the legislature to sell, and contended that if the corruption alleged, was not altogether a matter between the people of Georgia and their public agents, still, at all events, their own claims, fairly and honestly acquired, must not be confounded with those of others, who were parties to the fraud.

It was much easier to prove the infamy of the legislature, than to shew their want of constitutional authority to sell. Perhaps indeed, the decision of the law could scarcely be maintained on the principles of the constitution, and may much more safely be justified as an act of self preservation. An injured people made desperate by the abuses of authority, must and will pluck down their domestic traitors, and violate laws and constitutions which have become merely a shelter for injustice. It is indeed a fearful experiment: an unhappy extremity.

But we hold liberty and life on no better terms. They must be defended by violence when they cannot otherwise be preserved.

The first and most obvious evil of this revolution, for so it may be called, was the degradation of the judicial, which the new constitution reduced to an abject dependence on the legislative power. This measure could be excused only on "the devil's plea of necessity." To have trusted the state courts with independence, while such a question might be agitated before them, would have been an act

(3) Roberts Thomas, of Hancock; it is supposed was killed on account of his vote.

(4) Journal of the H. R. of Georgia—January, 1796.

of political suicide. (5) But the supreme tribunal of the union was beyond the reach of state legislation, and from it there lay no appeal except to the sword.

Under such circumstances it was natural enough to look round for some powerful protection. The United States had, heretofore, faintly asserted a doubtful claim to the territory in question, and in their hands alone could the demands of the fraudulent purchasers be favorably settled, or successfully resisted. A session to the United States therefore, was resolved on, (6) the terms of which were settled by the convention of 1802. (7) Georgia acquired by this treaty, the sum of one million two hundred and fifty thousand dollars, and lost the soil and jurisdiction of the present states of Mississippi and Alabama. At an early period after this session, commissioners were appointed by the United States (8) to receive a statement of the Yazoo claims, and to collect the evidence of corruption on which Georgia had resisted them. They considered the proof of fraud complete, and the contract void on the most obvious principles of reason and justice.

The purchasers, notwithstanding, besieged congress year after year with memorials and petitions. The conduct of Georgia was arraigned with great bitterness by some members of that body; but if fiercely attacked she was ably defended, for she reckoned among her champions the celebrated and eccentric John Randolph. (9)

Congress repeatedly declined making any provision for these claims. The claimants, however, did not limit their efforts to petitions and memorials. They sought, as might naturally be expected from the theory of our government, the decision of the federal judiciary upon the validity of their title, and the supreme court decided in their favor. (10)

The cause, of course, was presented in its most favorable aspect, and the right of an innocent purchaser under a law, which, however iniquitously

(5) The occasion has ceased but the mischief continues.

(6) Laws of Georgia—Marbury and Crawford's Digest, page, 584.

(7) Laws U. S.—New edition, p. 488.

(8) James Madison, Albert Gallatin and Levi Lincoln.

(9) Grateful for this devotion to her interests, the legislature of Georgia gave the name of Randolph to a county, upon the motion of Joseph Bryan, esq. with whom he had long been intimate. Shortly after Mr. Bryan's death, the name of the county was changed to Jasper, and the reason given for depriving Mr. Randolph of his honor, was, his alleged secession from republican politics.

The preamble of the act which alters the name, recites a falsehood. It states that it was given to commemorate his services to the republican party. The fact is as above stated. We have accidentally met with the following indignant comment of an anonymous writer upon this pitiful affront, offered to a man whose genius, whatever might be his faults, reflected honor on his country.

"Scarcely was the corpse of Bryan cold within his grave, when you strode over it with impious haste, to insult the dead patriot in the person of his living friend: the world has not witnessed a deed of more callous inhumanity, since the charriot of Tullia over-ran the body of her father."

(10) Cranch's Reports.

obtained, violated no constitutional provision—were pressed with all their force. The judges perhaps could not have decided otherwise, and the decision only proves that there are many abuses which no system of jurisprudence can correct. But this adjudication, while it affirmed the naked right of the claimants, did not much advance their remedy. They had yet to prosecute the settlers, individually, and obtain possession by a tedious and expensive course of litigation. Large sales of the land had already been made under the authority of the federal government. It became expedient therefore to quiet the fears of the inhabitants by putting an end to the controversy. After various abortive efforts, an act of congress passed, offering terms of compromise to all the Yazoo claimants who would relinquish their title to the U. States. The sum of \$4,700,000 was appropriated, and a board of commissioners appointed to receive the proper conveyances. Under this bill of peace, for which the country is in a great degree indebted to the unwaried exertions of the hon. John Taylor, a senator from South Carolina, all, or nearly all, the claims have surrendered and the Yazoo controversy at length terminated.

Having thus briefly recapitulated the leading events of this huge iniquity, we may be pardoned for indulging in a few reflections.

The alienation of a fertile country, equal in extent to many European kingdoms, could only be justified by the most irresistible necessity. If war had shorn it away, after a sanguinary struggle, the sword might win again what the sword had lost; and an extorted treaty, while it ratified the conquest, would have left behind it no other reproach than that of weakness. To have yielded such a territory, had it been necessary, for the preservation of her own independence, might have been politic in Georgia. To have sacrificed it to the harmony of the confederacy would have been magnanimous if not wise. The citizen who loves his country as he ought, will perhaps find few other motives strong enough to excuse the relinquishment of so noble a patrimony.

Whether its cession under any other circumstances, however, ought to be stigmatized as an act of imbecility or not, its sale by a corrupt legislature to companies of land jobbers was certainly one of unmitigated baseness. But it is past. Georgia, like the improvident Esau, has parted with her inheritance; and those who defrauded her of her birth-right complained of her bad faith, when she endeavored to reclaim it. By its loss, she has sunk into a second power, driven to accept as favors what she should command as rights, and losing with the fear and envy of others, something of their respect.

She has furnished in her civil history a parallel for the military treachery of Arnold, and taught foreigners that more than one American could sell his country and his honor. She has ceased to confide in the virtues of her public men, and now almost tempts them to be faithless by her teasing jealousy. The glory of her fields has been won by arms not her own;—yet did it not shock her pride. Even the scorn of those who insulted her with their protection failed to rouse her anger. She had lauded those who degraded her; courted those who contemned; and allowed herself to be served without gratitude, and spurned without resentment. She beholds a lax political morality adopted by her people, and hears again with astonishment, but without abhorrence, that success consecrates any means however base. Under the pernicious influ-

ence of such maxims, she witnesses the daily decline of that chivalrous spirit, which, if it could not have kept her without fear and without reproach, would, at least, have hidden her faults by her virtues, as the baldness of Cæsar was covered by his laurels.

To this depth has she been sunk by the grovelling avarice of the Yazoo legislature, and from hence she can be raised only by the most heroic efforts of some master spirits among her sons.

And there are many such: but not here must be their eulogy. * * * * *

It is a miserable consolation, under these calamities, to know that most of those who practised the fraud, derived no benefit from their wickedness; and it should abate a little of the Pharsaical presumption of some fair purchasers to learn, that they acquired what was never sought for. Such however is the truth. Many thousand acres were sold by the Georgians to eastern adventurers, who gave their notes in payment, failed before they were due, and assigned their interest in the land to more favored creditors.

Our surprise might be excited, if there were fewer instances of human frailty upon record, by discovering how many men of fair characters, who had done the state service in the field or in the senate, were instrumental in procuring the agents of their country to betray its interests.

That they did so, no candid man who reads the testimony can doubt. (11) Even the advocates for the purchasers in their pamphlets do not attempt to disprove the fact: (11) they content themselves with calling the evidence *ex-parte*. The testimony, however, was not stronger upon which lord Sunderland, Mr. Secretary Craggs, and Mr. Aislable were implicated in Law's project. (12)

Upon the authority of this evidence, collected by the legislature of Georgia, and afterwards published by order of congress, we may assert, that all the members who voted in the affirmative but one, had evidently been corrupted. Of the whole transaction, there can now be but one opinion. All treachery is hateful, no matter on whom practised, and he who stoops to offer, and he who is base enough to accept a bribe, are equally deserving of contempt. Such, at least for a long time, seems to have been the common sentiment of Georgia: for all who were concerned in this fraud, and nearly all who were interested in the purchase, forfeited the confidence of their fellow citizens. Some who were considered too young, too poor, or too ignorant, to have had any active agency in the project, were afterwards elected to insignificant offices; but few reached to any great distinction.

It furnishes, however, another melancholy instance of the infirmity of human virtue, or the instability of fortune, that one of the purchasers was afterwards governor of Georgia—while a senator who had resisted all temptations to vote in favor of the bill, was subsequently dismissed from another office upon charges of corruption.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

They are building several frigates in England, to carry 38 forty-two pounders, and 40 twenty-four

pounders--total 78 of these very heavy guns. It is openly acknowledged that they are built to beat our "fir-built" things. But we match these frigates, perhaps, in what we call our *seventy-fours*.

An order has been issued as to persons to be presented for the honor of knighthood, in consequence of its having been conferred on a *quack* doctor!

The magnificent copper mine at Dolacath, in Cornwall, employs, under ground, 750 persons; consumes, monthly, 3,000 lbs. gun-powder, and 5,000 lbs. of candles. It is 1,400 feet deep, and contains in it 7,000,000 of cubic feet of excavated space. The pumps bring up daily from this mine 120,000 cubic feet of water.

FRANCE.

In the debate on the censorship [in the French house of peers, says the Charleston Courier, prince Talleyrand made an excellent speech in opposition to the restraints which the law imposes. The liberty of the press, said he, is one of the wants of the age. To an enlightened age, a free press is necessary. You cannot contend against necessity. You cannot overwhelm public opinion, which is stronger than Voltaire, or Henry the great, or Napoleon, or any minister or monarch who ever did or ever will live. The press secures legitimate renown, and destroys only usurped reputations.

The manufactures of France are said to be in the most flourishing condition, and new establishments are going into operation.

M. de Chateaufort, in a late work of his, according to information communicated to him by the prefect of the department of the Seine, rates the population of Paris at 713,966 souls. This number consumes daily 60,000 pints of milk. Formerly in the city of Paris there was one ecclesiastic to every sixty individuals, now there is but one to every six hundred and twelve. The condition of hospitals is meliorated. Instead of two dying out of nine, at the Hotel Dieu, as it used to be, it is now one out of seven; that is, 14 out of a hundred, instead of 22.

The bridge at Bordeaux, began in 1808, is now nearly finished, and is said to be "a superb monument of national taste."

The earth adjacent to the Roman temple at Nismes is to be reduced to its original level and a railing is to be erected, so that the building may be seen "in all the purity of its former proportions." In removing the earth, many columns and pieces of sculpture have been discovered.

When repairing the roof of an old church in France, a quantity of gold fell on removing the rafters. There were about 1000 pieces, of 64 grains in weight each, and belonging to the reigns of Francis I. and Louis XII.

Seventeen men were recently killed by an explosion in a coal mine, in the department of Soane et Loire.

Education of the poor in France. According to an official report, made Nov. 1st, 1813, there existed at that time, in the department of the Seine, including Paris, 67 schools on the principal of Lancaster. Of these, 51 were in Paris, and 16 in the department; 18 of those in Paris were gratuitous, two of which were founded for Calvinists, by Monsieur Delesseert, a Swiss gentleman, whose name is ever foremost among the contributors to public good in France. The number of children that can be admitted, in all these schools, is as follows: In the gratuitous schools in Paris, 3,128; in the schools where they pay, 2,364; in the schools out of Paris, 1,087: total 6,579 male and female pupils. Of this num-

(11) The note to which reference is here made, is not found on the MS. from which we print, and must have been omitted by the transcriber.

(12) Memoirs of George 1st, p. 193, and the parliamentary proceedings of that year.

ber, Paris contains 5-6, and the department 1-6.—As to the rest of France, the returns of only 1-3 of the kingdom for 1818, had reached the society when Monsieur Jomard wrote; and they are as follows: 360 schools, capable of receiving 40,674 children, male and female. In July, 1818, however, but 19,175 attended; in August 18,777; in September 20,665, or about half as many as there was room for. According to a further report, however, for the first three months of 1819, it appears that, in the whole territory of France, there might be at that time something more than 1,000 schools, capable of teaching 123,000 pupils, of both sexes; two thirds of which, or about 80,000, were actually filled. The expense of educating each pupil in Paris, was estimated at 12 francs per annum; but in the departments it was only 9.

SPAIN.

The intercourse between Gibraltar and Malaga is cut off in consequence of the plague having broken out in the latter—and also at Barcelona.

ITALY.

Every account from Naples, &c. shew the repose of despotism. The popular effervescences have only rivetted the chains of the people more strongly.

Canova has lately finished a colossal statue of a horse—said to be one of the most excellent productions of his chisel.

Auciera and Baldini, jewellers at Rome, have presented to his holiness, a brilliant of the finest water, 53 carats 5-8 in weight, or 214 3-4 grains. Its value is estimated at 500,000 dollars. It is only the king of France and the emperor of Russia that possess a finer diamond.

DENMARK.

The king has issued some severe orders for the suppression of the slave trade, which appear to be energetically obeyed by his officers at the Danish posts in Africa, of which Christiansburg, on the coast of Guinea, is the principal,

AUSTRIA.

Rothschild, the elder, [the great banker], has been raised to the dignity of a marquise by the emperor of Austria. He is the first Israelite that ever received that title.

RUSSIA.

According to the latest estimates, there are three hundred and fifty living authors in this country, about one eighth part of whom are ecclesiastics, but the far greater proportion consists of persons of rank. Backmeister, in his Russian Library, computed that, previously to 1817, there existed about 4,000 different works in that language. In the extensive collection of national literature, belonging to the academy of sciences of St. Petersburg, there were, in 1800, 3,600 works printed in the Russian tongue; among which only 105 belonged to the class of novels and romances. Since this period authorship has increased so much, that last year no fewer than 8,000 were printed in this language. Translations are very numerous, particularly of dramas, novels, works of imagination, and the belles lettres. There are newspapers and journals, both German and Russian, published at St. Petersburg, Moscow, Riga, Revel, Abo, and other principal cities. At the first of these places there are fifteen printing houses, and ten at Moscow.

We have what is called a correct account of the finances of Russia, as they stood on the first Jan. 1821. The whole amount of the debt is equal only to 46,450,000 pounds sterling, at the present value of the rouble, which is fixed, even in Russia, by the rate of exchange with London, Amsterdam, Ham-

burg, &c. Against this debt, the government bank possesses a capital of 35,799,513 roubles—80 millions of the revenue are annually set apart to extinguish the debt; the sinking fund has a surplus of 15 millions, and is actively employed to reduce the debt.

WEST INDIES.

There was a dreadful hurricane on the 9th ult. at St Bartholomews—in which 12 vessels were lost or driven ashore and destroyed: but generally the crews were saved, except 2 Guineamen (Dutch and French) with each 20 men on board, all of whom were sent to account for their conduct at the bar whereat justice is rendered. About 70 houses were blown down, among them the governor's—and many lives were lost.

CUBA.

Since the adoption of the new Spanish constitution, it is the rule in Havana, to visit the prisons once in every month, for the purpose of preventing the dreadful oppressions which have frequently, and perhaps generally, been practised therein.—The following account, translated from one of the late papers of that city, will shew the good effect and the necessity of such a practice.

In the visit made by the governor, on the 18th April, to the prisons of the Moro Castle, he has observed the horrible dungeons, called by the different names of the sun, the moon, the stars, the tiger and the lion, &c. heretofore constructed for the affliction of humanity: he was astonished that such means of cruelty and barbarity should be still in existence, notwithstanding the order given by the former governor, prohibiting their use; ordered that they should immediately be closed up, with substantial work of lime and stone, for the purpose of preventing for the future any such abuse.

Havana, as well as the rest of the ports of Cuba, has been exempted from the operation of the late Spanish tariff—the local government is left to regulate and establish the duties which shall be payable. This island is nearly independent.

COLOMBIA.

From the Caracas Gazette of the 22d Aug.

The first general congress of Colombia, to all the people and troops by sea and land, of the republic:

Colombians—Your representatives, assembled in this first general congress, have the pleasure of announcing to you that you date from this day a new epoch, when your wishes are to be realized, your sacrifices required, and the hopes of your future felicity ensured to you forever.—Your fellow citizens, to whom you have entrusted the sovereign legislative power, while they duly appreciate the high honor with which you have distinguished them, are in no small degree sensible of the enormous weight of responsibility, wherewith they are subjected by the trust you have reposed in their hands.

After eleven years of incalculable calamities and convulsions, which have rent in twain our country, dissevered the bonds of social order, banished the arts of peace to introduce the exercise of arms, and closed the sources of public and private wealth, your representatives would have despaired of ever fulfilling the duties of their high trust, were not their confidence placed on the dispositions of a people worthy of being free, and especially on the assistance of that Providence which delights in making man happy. Impressed with these sentiments at the beginning of their task, they forthwith proceeded to the revival of the fundamental law, which is to fix the destinies of this rising society; and after deep and impartial discussions, the representa-

tives of what was once termed the captain generalship of Venezuela, and vice kingdom of New-Granada, assembled in a general convention on the 4th of June last, have sanctioned the union of both people in one body of the nation, forming an only republic, under the express clause that its government be popular representative.

This solemn declaration of the general will, proclaimed by your legitimate representatives, offers to your sight, Colombians, a rising republic on an immense tract of land, blessed with the most precious gifts of a beneficent Providence—peopled by men who have preferred death to an ignominious slavery, sanctified with the martyrdom of its sage, and honored with the blood of its heroes.—Such is, Colombians, the country which you have won as the reward of your perseverance, your virtues and your sufferings. Such the nation whose existence, commended to the auspices of this day, will rapidly advance through the stages of glory and prosperity, unforeseen by human wisdom. By presenting herself strong and respectable to the nations of the world, with whom she is about to form amicable connexions, by crossing the ocean with rich products of her soil, she will become more and more feared by those who dare to dispute the rights allotted to her by the Sovereign founder of all societies.

Your representatives, with all the efforts of their knowledge, zeal and patriotism, hasten to dedicate to you the results of such a happy union. A government, whose legislative and executive authorities will be wielded by citizens whom you yourselves will periodically elect; a proper division of the country, for the most speedy administration of justice; individual safety; economy in the disbursements authorized by your representatives; a sacred fulfilment of the engagements contracted with public faith; the liberty of the press, which promulgates and ensures the spirit of freedom. Such are, in short, the institutions inseparable from our rising republic, and whose establishment devolves upon the general congress.

And ye, worthy defenders of Colombia, whom numberless perils and keen hardships have but fortified in the inflexible resolution of cementing the liberty of your country on the basis of its independence: ye who, by a linked series of triumphs, have blessed it with this day of glory and joyfulness, accept in the name of your fellow citizens all that is most tender—most expressive—the national gratitude. The general congress of Colombia, as a work of your hands, seizes this opportunity of tendering their most cordial congratulations to all the troops of the republic—to all its brave officers of all ranks—and more so, to those valliant chieftains, whose spirit, wisdom and constancy in the woeful periods of expiring liberty, protected with vigorous impulse its holy cause, until consolidating victory by the expulsion of the foe. Congress, amid the effusions of its sentiments, allots a very conspicuous place to the liberator, who, with so much glory, has led you to arms, and whose eminent services and indefatigable perseverance, during the course of our contest, have covered his brow with never fading trophies—our eternal acknowledgment.

Soldiers—Follow up your triumphs, until you have forever expelled the remnant of the enemy, who still infest your soil, in order that, restored to your peaceful homes, you may bask in the sweet remembrances of your glories, and of the benedictions of a people whom you have rescued from oppression. The congress beholds as a most pe-

remptory duty, that of providing the means of removing your privations for the present, and for the future, of awarding the recompence due to you by national justice.

And you, people of Colombia, who still groan under the yoke of a government not your own, congress will not forget you—nay, nothing excites its sentiments of compassion more keenly than your fate. But take courage, and expect your comrades, who, disdaining a quiet life, advance already with victorious wreaths to stretch forth to you the arms of fraternal love, and to bless you in the moment of your incorporation within the bosom of the republic. Co-operate on your part to accelerate the memorable day, when all the children of Colombia united, with but one spirit, under *one pure popular representative government*, inviolably attached to the hallowed principles of republicanism which we have published, may be but slaves to the laws, in order to be free.

Given in the palace of the general congress of Colombia, in the Villa del Rosario le Cheuta, 6th June, 1821.

FERNANDO PENALVER, Pres't.

Miguel Santa Maria, } deputy secretaries.
Francisco Salto, }

MEXICO.

There is a report that the vice-king, Apodaca, in attempting to escape from the capital to Vera Cruz, was taken prisoner by the patriots. The four principal chiefs of the revolution are Iturbide, Cruz, Negrete and Aredondo.

A steam boat is running between Havana and Vera Cruz, and from thence to Tampico. She is called the Mexican, and was built in New York.

CHRONICLE.

Horrid affair. On the evening of the 6th inst. in Bond-st. Fell's Point, Baltimore, a person named Joseph Thompson, first mate of a brig lying in this port, aged about 40 years, shot a young lady named Ann Hamilton, aged about 15 years. The deceased is said to have been highly accomplished and exceedingly interesting. It appears that Thompson had paid his addresses to her, which, perhaps, were not favorably received; and the idea entered his mind that she was better disposed towards another person—so it seems that he prepared himself for the tragedy by dividing a ball into two, and loading two pistols each with a part—one for the young lady and the other for himself. At about 7 o'clock in the evening, he entered the room where she happened to be sitting alone,—she was heard by her father and mother to exclaim, "*My God!—Thompson is going to shoot me!*"—they rushed forward; there was a report of a pistol, and they received their falling daughter into their arms:—she was shot in the head and died immediately. With the other pistol Thompson attempted to shoot himself, through the head also; he fired it at himself and fell, severely wounded, though not mortally—his agitation, perhaps, preventing a sure aim. He was immediately arrested, and the ball being extracted, he was committed to jail, to await the sentence of the law.

The U. S. schooner *Alligator*, lieut. Stockton, has sailed from Boston for a cruise up the coast of Africa.

The U. S. ship *Hornet* has sailed from New York for the Chesapeake, for the purpose of convoying vessels to New Orleans, &c.

The U. S. schooner *Grampus* has sailed from New York on a cruise.

THE FRANKLIN. The following are the officers of this noble ship, which has sailed from New-York, to cruise for two years on the coasts of the Pacific, &c.

The following is a list of her officers:

Commodore—Charles Stewart.

Lieutenants—Wm. M. Hunter, Thomas S. Hamersly, Ebea'r Ridgeway, Henry W. Ogden, Joshua R. Sands, John D. Sloat, Wm. M. Ramsey, Henry Henry, James A. Perry.

Sailing master—Elisha Peck.

Lieutenant's marines—John Harris, Chs. Grymes.

Surgeon—Thomas B. Salters.

Purser—Edward Fitzgerald.

Chaplain—Nathaniel Andrews.

Surgeon's mates—James Cornick, James S. Marsden, A. K. Hoffman.

Master's mates—Jacob Morris, John R. Covington.

Midshipmen—Abr'm I. Bennett, Theodoras Bailey, W. G. Woolsey, Robert W. Jones, P. H. Hayne, David H. Porter, Alexander Hossack, S. S. Lee, L. M. Goldsborough, Jos. B. Huil, Cary H. Hansford, Robert B. Coffin, Geo. Izard, John Creamer, Wm. Pearson, Alexander H. Hopkinson, James M. Prevost, G. W. Bleacher, Robert Marshall, Charles Wilkes, John Marshall, John Pope, R. R. Pinkham, Charles V. Morris, Henry A. Adams, John R. Cox, Thos S. Manning, Dudley Walker, John A. Boyd, Hugh Y. Purviance, Edward Preble.

Cadet Midshipmen—Fitzallen Deas, C. E. Wadsworth, Philip Wager, Wm. P. Reli, Wm. C. Wilde, Theodorick Bland, John Young, Aug. Ketty, Mortimer Denouette, Wm. D. Porter, Robt. S. Stewart.

Treaty of Ghent. The commissioners under the 5th article of the treaty of Ghent, (says the New-York Journal, of the 6th inst.) who were appointed to settle the north-eastern boundary of the United States, have been in session in this city for the last ten days. The arguments of the agents for the respective governments were closed on Saturday last. The commissioners, we understand, differ in opinion. The most important point upon which they differ, is in relation to the position of the north-west angle of Nova Scotia, or in other words, the north-east angle of Maine. The territory in dispute contains about five millions of acres of land, a part of which is said to be good.

The reports of the astronomers and surveyors, and the arguments of the agents, are said to be immensely voluminous, and to bear testimony to their industry, and we doubt not to their talents.

The late storm, says the New Haven Journal, was fatal to the leaves on a great portion of the fruit and forest trees in this vicinity, and we believe for a considerable extent along the sea board: such trees as have been thus injured, are not only putting out new leaves, but some of the fruit trees are in full bloom. What will be the effect upon their products for next year, we are not able to say, but serious injury is pretty generally apprehended.

A Keene, [N. H.] paper of the 29th ult. says—"It has been stated to us for a fact, that bed-clothing, belonging to a family in Warwick, has been found since the late gale, in Royalston, and a pair of post bags in Winchendon, say twenty miles off—that boards and shingles fell in Ashby, thirty miles, and nearly the whole of one side of a barn roof, in Fitchburg, which must have been carried in the flying whirl, about thirty miles!"

A saw mill has been recently erected at Troy, N. Y. which performs astonishingly. We have the following brief account of it from a New-York paper:—"The saw consists of a circular plate of

about eighteen inches in diameter, and with eight teeth in the circumference. It is moved by a band, and revolves twelve or fifteen hundred times in a minute, cutting the hardest timber without the least difficulty. The log is sawed half through, or from the sap to the heart at a cutting, and may be graduated to suit timber of any dimensions. The machinery is so constructed, that the mill tends itself, the log being rolled, and gauged by an apparatus which goes by water. The advantages of this mill are numerous and important. In the first place the boards sawed in this mill are far superior to those manufactured in the ordinary way, being much truer and more durable. Secondly, it is a great saving in lumber, since all kinds of timber, whether fissile or not, may be wrought into boards and heading, without waste. Thirdly, there is a great saving in time and labor."

A team ferry boat that plies across the Hudson at New York, crossed and re-crossed ninety-four times in one day, travelling a computed distance of one hundred and forty-one miles,—the tide in the passage, one way or the other, is always against this line of boats, as the points at which they stop are not opposite to one another.

Severe trial! In several of the eastern states a majority of the whole number of votes is required to elect a person to office. We see that in one of the districts of Vermont there is to be a sixth trial, to elect a representative to congress.

The land of steady habits.—An old man died lately in Connecticut, who had been fifty-six times elected a member of the legislature.

Maine. Mr. Parris is elected governor by a majority of 629 votes, over all the candidates.

Pennsylvania is split into parties very much like those that exist in New York—for or against the present administration of the state, is the great question among the people, just now. Those favorable to the present administration have carried their whole ticket in the city of Philadelphia by a majority more than as 2 is to 1; in the county, the opposite party has prevailed as to the major part of their candidates.

Maryland. The following shows the state of parties in the house of delegates of Maryland, according to the result of the elections held on the 1st inst. It will be recollected that the senate, of 15 members, is wholly "republican;" so the majority in joint ballot, will be 57.

<i>Counties.</i>	<i>Rep.</i>	<i>Fed.</i>
Allegany	4	0
Anne Arundel	4	0
Baltimore	4	0
Calvert	4	0
Caroline	4	0
Cecil	4	0
Charles	0	4
Dorchester	1	3
Frederick	4	0
Harford	4	0
Kent	4	0
Queen Ann's	4	0
Montgomery	0	4
Prince George's	4	0
Somerset	0	4
St. Mary's	0	4
Talbot	4	0
Washington	4	0
Worcester	4	0
Annapolis (city)	2	0
Baltimore, do.	2	0

Indiana. A fine cotton mill has just gone into operation at New Albany. Success to the proprietors, for they will benefit the neighboring country.

Arkansas. James W. Bates, esq. has been elected a delegate to congress from this territory, by a small majority over Matthew Lyon, esq.

The Osages are said to have collected 1500 warriors for the purpose of attacking the Cherokees, and have advised the white people among the latter to retire. But a hope is held out that peace may be restored between them.

Florida. The first grand jury that ever assembled in this territory, met at St. Augustine on the 12th ult. and, being sworn, proceeded to business, after the manner and form generally adopted in other parts of the U. States.

Boston banks. Semi-annual dividends of banks in Boston, declared 1st of October last:—

Banks.	Capital.	Dividend.	Annual state tax.
New England,	\$1,000,000	4 per cent.	\$10,000
Manuf. & Mech's.	750,000	3½ do	7,500
Massachusetts	800,000	3 do	8,000
Suffolk	500,000	3 do	5,000
State	1,800,000	2½ do	18,000
Boston	900,000	2 do	9,000
Union	800,000	2 do	8,000
	6,550,000		65,500

The Branch Bank makes no return to the state authorities, and pays no tax to the commonwealth, except for its real estate, paid also in addition by the state banks.

Changes of the alphabet. The alphabet of twenty-four letters, may be varied so many millions of millions of times, that if a man could read one hundred thousand words in an hour, (a task impossible for any man) and there were four thousand six hundred and fifty thousand millions of men, they could not speak these words, according to the hourly proportion aforesaid, in three score and ten thousand years.—*Freeman's Journal.*

Calcutta museum.—The museum of the Asiatic Society of Calcutta, among other curiosities, contains a bulrush, cut in Nepal, 84 feet in length, a serpent with two heads; specimens of Mosaic from Agra and Golconda; crystals from Nepal, and sculptures from Persepolis, Java, &c.

Curious way of taking a whale.—In the year 1663, capt. WolgerFolger from Nantucket, on a whaling voyage, anchored in the Straits of Saguna, in company with another vessel, which was made fast to his vessel, besides being anchored. In the middle of the night the vessels were carried out of the harbor in the most peculiar manner perhaps ever before known. Finding themselves in this situation, they cut the warps that fastened them together, and upon taking up their anchors, they found that a whale, called a hump-back, had taken the anchor of capt. Folger's vessel in its mouth, and was making a run with the two vessels. The whale was hove up, killed and taken on board.

Singular death. Died in Middleburgh, N. Y. Martin Pholand, whose death was occasioned in the following manner: He and a person named Crum had caught some sunfish, for the purpose of putting into a pond; while alive, they undertook to see which could swallow the most and largest fish. They each swallowed three alive, and on P's attempting to swallow a fourth, about the width of a man's three fingers, it stuck in his throat so tight

that he could not get it down. A part of the fish was extracted just before he expired.

Shipping. There are now about 4000 tons of shipping of the first class, on the stocks at New-York, and many valuable vessels have recently been launched.

Tobacco. The farmers of Upper Canada appear to be engaging pretty extensively in the cultivation of tobacco, on account of the low prices of grain; and they seem to succeed very well.

Cotton. Exports of New Orleans, in ten months from the 1st Oct. 1820 to 1st Aug. 1821: to Great Britain 49,182 bales; to France 49,046; other foreign places 1,760; coastwise 34,736;—destroyed by fire 1,600; on hand 3,667—total 140,000 bales.

Exports from Savannah, for 11 months ending Sept. 1—to Great Britain 39,472 bales; France, including Antwerp, 21,101; other foreign places 4,776; coastwise 55,310, of which 41,429 went to New York! The Sea-islands were about 10,506 bales, of which 9,234 were sent to Great Britain, 1026 to France, the rest coastwise. Stock on hand not mentioned. Total 175,467.

Exports from Charleston for the year ending Oct. 1, 123,740 bales—say 86,000 to Great Britain, 21,000 to France, 4,000 to Antwerp, 7,639 coastwise, the rest, about 4,000 bales to different parts of Europe, other than Great Britain and France. Of the whole, 24,438 were Sea-islands, of which about 23,500 bales went to Great Britain, only 659 to France.

The exports from Mobile, Blakely, &c. are estimated at 25,000; those of North Carolina, Darien, &c. at the same—giving a grand total of 495,207 bales! A few years ago, we did not export one pound.

Baltimore inspections for the quarter ending 30th September: 85,723 bbls. and 7,891 half barrels wheat flour; 1,757 casks Indian meal; 1,302 bbls. pork; 5,234 do. herrings; 2,192 do. mackerel; 185 large casks domestic liquors, 3,283 small do.—&c.

Newspapers.—We lately gave an account of the newspaper press in Great Britain, which has excited considerable interest on account of its magnitude. Great, however, as the circulation of papers in England must appear, it bears no comparison to that of France, in 1808. The daily sale of the *Moniteur* was then 20,000; that of the *Journal de Paris*, 16,000; of the *Publiciste*, 14,000; of the *Journal des Debates*, 12,000; of the *Journal des Defenseurs de la Patrie*, 10,000; of the *Clef du Cabinet*, 6,000; of the *Petits Affiches*, 30,000. This was while Napoleon Bonaparte had the reins of government. An account of the number of newspapers now published at Paris, would enable us to judge whether the liberty of the press had gained, or lost, since the restoration of the Bourbons.—*Com. Adv.*

Boston, Oct. 4. At the Worcester cattle show and agricultural fair last week, the following toasts were drank at the public dinner:

Our mother earth. It becomes her offspring to reflect, that, like other mothers, the nutriment she affords is dependent on the aliment she receives.

The nobility of our country.—The lords of the soil. The plough, shuttle and canvas. They furnish our prime comforts—food, clothing, cash.

The ploughing match, and all other matches, which will test the ability of each member of our society to perform his business in a husband-like manner.

The farmer's cardinal points—Good tools, strong teams, neat farms, "smart wives."

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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HEALTH OF BALTIMORE.			Interments for the week,			
ending yesterday morning,			October 19, at sun-rise.			
			malignant.	other.	total.	under 5. col'd.
Oct. 13,	2	5	7	1	0	
14,	1	11	12	6	1	
15,	3	10	13	5	0	
16,	2	16	18	3	0	
17,	3	18	21	4	5	
18,	1	10	11	3	2	
19,	1	8	9	5	0	

Whole number of interments 91

DISEASES. The Frederick (Maryland) "Herald" says—The prevailing fever, with which our country has been afflicted, in common with our neighbors of Pennsylvania and Virginia, seems, from all we can learn, to be increasing. And what is still more alarming, it is at the same time becoming more fatal. Hitherto the deaths have been few in comparison with the number of sick. But since the commencement of the present month, the complaint has a strong tendency to terminate in a slow, obstinate nervous fever. It is supposed, on a moderate calculation, that there are at present 2000 persons laboring under this complaint in Frederick county! and that out of this number at least 200 are dangerously ill! The proneness of those on the recovery to relapse is unprecedented. Very few who have been taken down but have relapsed, and most persons, several times. And, in consequence of the great debility produced by the first, it almost invariably happens that every succeeding attack is more severe than the former. To guard against these repeated relapses is altogether desirable—and with this view we state, on the authority of an intelligent and observant gentleman, that when persons on the recovery have put on flannel, they have rarely relapsed—while those who have neglected so to do have as rarely escaped. We have therefore no doubt, but that warm clothing must prove highly beneficial to all who are indisposed, and in a good measure guard the well against indisposition.

Wilmington, N. C. A letter received at Washington city from one of the most respectable gentlemen of Wilmington, N. C. dated Oct. 8, 1821, affords the following information:

"A malignant fever has prevailed in Wilmington for the last two months; and such of the citizens as have been able to leave the place have done so, causing an entire suspension of business of every description. Our population is now reduced to four or five hundred souls, and the daily report of new cases, for some time past, has been from six to fifteen. The disease originated in that section of the town in which the custom house is situated; and very few persons have recovered, who have been taken sick in that vicinity. All intercourse with that part of the town is interdicted: and the office has been closed for the last four weeks, in consequence of the death of the deputy collector, who fell a victim to the fever. The state of our community is truly melancholy, and a greater mortality has never been known than has befallen us this season."

Some deaths continue to take place at Alexandria, Col. of a malignant fever—of 63 persons that were

seized with it, thirty four have died! The disease seems to be confined to the immediate neighborhood of the river and of the low grounds. Some cases of a very severe fever, perhaps of the same nature as that prevailing in Alexandria, have also occurred at Washington. There does not appear to exist a doubt that this disease is of local origin.

QUERY TO STATESMEN. From the Washington City Gazette. "How are the national concerns of France directed, and what are her resources; that, with a population of about three times that of the United States, she should have been able, in so short a period, after one of the longest and most oppressive wars that ever a nation was scourged with—to pay all the expenses of her civil list, army, navy, and 1,500,000,000 francs [about 300,000,000 dollars] to her allies, for putting down Napoleon and setting Louis on the throne?"

Without pretending to the character of a statesman, I answer—by steadily pursuing the plans which Napoleon devised and established to support domestic industry, facilitated by roads, bridges and canals, and protected against the intrigues of foreign powers.

THE NAVAL ESTABLISHMENT OF THE UNITED STATES—We promised in our last to say something about this establishment, in the belief that a large amount of the people's money is wasted therein, without any direct, relative or prospective advantage to the nation—without contributing to the efficiency or subserving the reputation, of this favorite arm of the national defence.

The events of the late war had a material effect to change our opinion, as to what should be the amount of our naval force. It had not been thought probable, that our country would be invaded by a foreign enemy—no other than predatory excursions by small parties, were anticipated, and to repel these, the local militia was regarded as the natural means. But we saw that the plan originally proposed by admiral Nelson, in regard to France, was partially applied to us—an army was kept afloat on our coasts; no one could tell what point would be attacked; it had been declared, as if from the mouth of a savage, that all places available should be destroyed, and tens of thousands of our citizens were dragged from their homes, to the great injury of their concerns, at an enormous loss in the amount of domestic labor, at a mighty cost to the government, and a terrible sacrifice of human life. More persons died of diseases incident to their condition at Norfolk alone, than in the whole naval service—more, perhaps, than the amount of killed and of those who died of diseases, in all the ships, on both sides, immediately engaged in the controversy; and the expenses at that and other places were excessive. This mode of warfare, against life and the finances of our country, having succeeded so well, will, no doubt, be resorted to again, if ever it is our misfortune to have to contend with a nation so much our superior at sea, as to scour our whole coast with a single ship of 74 guns, as was the case at that time; and we see that the author of the "British campaign" at Washington and New Orleans, decidedly recommends an adherence to it in a fi-

ture contest with us. The result of a consideration of these facts is, in our opinion, that the public safety and public economy, are united in favor of establishing a respectable naval force—of sufficient magnitude to compel the enemy to send hither so great an armament as may, of its own weight, defeat his own purposes. Admit, for an exemplification of the idea, that we had twelve ships of the line and as many heavy frigates, all completely fitted for sea, but even blockaded in Boston harbor—what force would be required for *that* purpose? But a fleet so large as would be so required, cannot remain all the year on our coasts, and at all seasons would have to retire from it occasionally—so our fleet might get out; and, in that event, what would be the fate of such an enemy-force as was sent against Washington, Baltimore or New Orleans? It would be annihilated at once. Yet it was with no small difficulty, and with great cost of life and treasure to the enemy, that such forces were kept up on our coasts; and it would be very unsafe, considering the nature of them, if not impossible, to maintain a power upon them, sufficient to resist such an American fleet as has been named, equipped and manned as our ships are. The whole force now contemplated (see item 9, below) is estimated to cost about $5\frac{1}{2}$ millions a year, in actual service—and, in such a war as the last, would save many times that sum in the amount and value of labor that was annually lost by the harassings of the militia during its period—to say nothing of the expenses of government and waste of life. But whether, in the present state and prospects of our commerce, we should be able to man such a fleet, is to us very doubtful, by voluntary enlistments, and no other means can be resorted to. This, however, is a question that we do not pretend to decide upon, though we think it is worthy of much consideration.

The old republican party, as it was called—that which introduced Mr. Jefferson to the presidency, of which I had the honor to be a zealous member, generally was, and many of its individuals still are, opposed to a large naval establishment. The chief grounds of objection, we believe, may be comprized in these points—

1. The mighty patronage given thereby to the executive power, and the raising up of an interest that does not enter into the common feelings of the people at large. They less object to an army than a navy—because the former is not insulated from the people as the latter is; and cannot easily be so insulated in this country. Seamen are of a class by themselves, from childhood for life—soldiers are separated only while in actual service.

2. The disposition, created by power, to enter on war. It seems almost natural—"to feel power and forget right." It is certain, that the *trading interest* of a country presumes much upon the ability of its government to render justice or avenge insult—even if some calculation is not made on its character to cause wrongs to be passed over. We will state a case—a particular port is rightfully declared in a state of blockade, and such a force stationed near it as to render it extremely hazardous for a neutral to enter: but that neutral power has also some armed ships in the neighborhood, for observation and occasional protection of its merchantmen—can it be believed that the merchants will not take advantage of this condition of things to violate the blockade—has it not oftentimes been done? Again—it is notorious that the British ships of war convoyed hundreds of British vessels to and through the Baltic some years ago, with simulated

American papers—that is, they were British at sea and American in the foreign ports they arrived at. Now, for an act like that, operating upon herself, Great Britain would have declared war against any nation in the world, because she had the power to maintain her *rights* on the ocean—but if such a thing was to occur again, we could do nothing more than remonstrate against it. If we should attempt to establish the real character of our vessels by granting convoys to them, the peace between the two countries would be instantly hazarded—the *collision* would produce a spark of animosity that would naturally grow into a flame, and terminate in war.

3. The great expense of building and maintaining a navy, and supporting the officers and men. By referring to item 6, below, it appears that in seven years of peace, except the short brush with Algiers, the navy has cost us nearly *twenty-eight millions of dollars*; and yet, (see item 10), we have only added to the list *four* ships of the line, five schooners and one steam battery, during that period. It may be asked, what will it cost us, at this rate, by the time when the establishment is completed—when we have built five more ships of the line, ten large frigates, &c.

In offering these objections it is not our intention to urge them—but they exist in the minds of thousands and have much force in the nation. There are few good things "here below," without their evil accompaniments; and, on the whole, we are led to believe that a respectable navy is necessary to the safety, and, of course, compatible with the best interests of the United States. But this opinion by no means tends to justify abuses in its administration or a prodigal waste of public money upon it; to both of which it seems peculiarly liable. We, however, desire to be clearly understood in this—that as we have (and as it seems that we needs must have) a navy, it should be *efficient*. Every pretension to economy is a waste, if it leads us from that point. Every ship that is unserviceable or unworthy of repairs, should be broken up at once—and every officer *so conditioned also*, should be discharged. There ought to be some way laid down to effect these things promptly. We allow of no officers without offices—and no one is presumed to receive the public money but on account of services *currently* rendered, except persons maimed in war—or the widows and children of such as were killed in the service of their country.

With these preliminary remarks, we shall proceed to a nearer consideration of the interesting subject before us.

One of the wisest and most economical acts ever passed by congress, in relation to the navy, was the establishment of the board of navy commissioners, in conformity with the intention of building and supporting a respectable force. It is, and we presume always will be, composed of *practical* men—distinguished for their talents, courage and good conduct; able to appreciate all the wants and make allowances for every contingency that can easily happen. It would be folly to believe that this board has done all that was right and nothing that was wrong, because infallibility is not the lot of human nature; but, from what we have seen and heard, we have made up our mind, that the matters committed to their charge have been managed as well as such things could be—as they ever were, or ever will be,—in the present most improved state of nautical science and skill. It is no small compliment to them, that their works are admired and copied in Great Britain, though she has so long

arrogated to herself a superior knowledge of every thing that related to naval affairs. The commissioners have not spared any rightful expense, nor made a prodigal of waste of the funds submitted to their discretion. They have established many great principles which must long remain as monuments of their superior mind, application and judgment.

The head of the department, the much respected secretary of the navy, so far as we are informed, has also conducted his concerns liberally, yet justly; and not been wanting in industry or attention as to the things immediately subjected to him, or intermediately submitted to his general superintendence.

But the matter of common complaint is in the constitution of the establishment itself, and the want of a power or disposition somewhere to rectify the abuses that have crept into it, and prevent their recurrence for the future. A new organization seems to be indispensably necessary—even to the preservation of the navy from popular indignation. The renown of some will not much longer cover the want of effort in others to deserve a reputation. In homely seaman's phrase, "every tub must stand upon its own bottom;" or, "every man must paddle his own canoe."

The navy—whether we regard the officers and seamen, or their ships, cannot be created and prepared for action, like an army, for land service. Many years of severe trial and hard earned experience—a habit of meeting danger in its most terrific forms, is necessary to make a seaman; and ships cannot be built in a day, at the bidding of congress, to render efficient and lasting services, though countless heaps of gold were at the disposal of that body. Money will not make sailors—commerce is the means by which they are furnished; and without sailors, the best built ships in the world might as well have remained in the forest: witness the noble French fleet constructed at Antwerp, that was rotting away at a time when, if we had had it, the "Yankee thunder" would have been heard over the great deep, to the terror of the enemy, and have afforded protection to our own fire-sides. With that fleet in our possession, the smoke of an enemy's camp would not have been seen at Washington, Baltimore or New Orleans.—A military force may be rendered efficient in a few months, with money and men—personal courage and love of country are things of great value; but discipline is more operative, and that is easily acquired, or speedily imposed, by a few good officers. The hardest land battles that we fought during the late war, were gained by officers and men that, for long services, could not be called veterans; and the famous result at Marengo, in Italy (and equally so at many other places in Europe, under command of Napoleon), was produced by persons that three or four months before had known nothing of the business of a soldier—conscripts, suddenly drawn from the farm and the work shop, who had never seen a shot fired in anger, or with intent to kill men. One able officer in the land service may soon impart his good qualities to thousands, or hundreds, or scores, according to his rank. Gen. Harrison once remarked to the writer of this article, "let me be acquainted with the captain of a militia company, that has been in service for three months, and I'll tell you what sort of a company he has." We have also heard general Jackson say the same in substance, and general Brown's opinion corresponds with the idea conveyed—through each of these would rather have to

act with regulars than militia. Bonaparte, too, the greatest warrior that modern times has seen, corroborated it, when, in his address to the seamen at Brest, he said something to this purport—"an army, of its own force, may sometimes gain a victory; but seamen, without discipline, can never hope to conquer." The discipline of a seaman must be founded on his own experience—that of the soldier is a simple obedience of orders. Another, and a familiar case, may illustrate what we mean: the 15th reg. commanded by col. afterwards gen. Pike, when collected at Plattsburg in the early part of the late war,—whether in regard to the officers or men (with, perhaps, some very few exceptions) was composed of persons that knew little, if any thing, of the duties of soldiers; but, through his personal exertions, by which they were taught every thing—from the making of a fire to cook their victuals to the manner in which an enemy was to be met, they were raised to the rank of veterans in about three months; and the fact was, that while other regiments, as old or older than this, were in a state of semi-starvation and very sickly—the 15th, on the same issues of rations, had an abundance of every thing and was remarkably healthy, always eager to enter upon the business they had engaged to do in meeting the enemy; whom, at length, they did meet, with all the effect hoped for or expected of them.

For the navy, we must not have men only—we must have seamen; and a great political concern should be, to encourage the rearing of them. When we find an officer well qualified in this department, we must not part with him on a slight consideration, if he is willing to remain in the service—for we cannot make such on an emergency. Both sea-officers and seamen are indispensable to maritime power. The distinguished head of our navy, that most accomplished seaman, commodore Rodgers, fruitful as he is in resources, would not risk his life, and much less his reputation, on the issue of combat, if his crew consisted of such men, for seamen, as Pike's were for soldiers"—nay, he would not trust himself simply at sea in a ship of the line, unless a considerable number of those on board his vessel had been trained to the duties of a ship from early life—and had learned the art and mystery of seamanship as a trade.

Such as are acquainted with these things will think that I have dwelt too long upon them—but it is not for such only that I write, and they must excuse me. Science, skill and experience are essential to the success of military operations—but in the army, the knowledge of one man is communicable to thousands, and an entire body may, at once, as it were, become invested with the great qualities of its chief. It is not so in the navy—each vessel is a separate community, and every person, almost, has some particular duty to do, and yet to act in concert in all the business of the ship.

The education of young men, as cadets in the military academy, is much desired by thousands of parents, without an idea that the lives of their children shall be devoted to military affairs—it is a very snug way of rearing up their sons at the cost of government. What they learn there is nearly as useful for the "dull pursuits of civil life," as what is taught in our best colleges. But no prudent father will seek a midshipman's warrant for his son, with any other view than that of qualifying him to become a naval officer; for he knows that the education received on ship-board is especially designed

* Meaning their period of service as such.

to fit the persons on whom it acts for ship-duties—very remotely for any thing else, as a chief purpose. It is true, many of our officers are accomplished gentlemen; but how few among them have the qualities necessary for merchants and traders, farmers and manufacturers, or even masters of merchantmen? There is an imperious obligation imposed on the nation to take charge of those who have been *apprenticed to its service*, and are seemingly destitute of the usual resources that belong to other individuals.

These circumstances powerfully lead to the accomplishment of the things that we aim at. The way should be opened to discharge the unworthy to make room for the meritorious; and, as we already seem to have too many officers, fewer youths should be received as midshipmen. There are now in this class, men fitted for extensive commands—who are abler officers, perhaps, than some who have the rank of captain. We wish the list to be relieved of its drones, that high-minded men may be advanced, and that none shall be retained who have not done any thing that is good,—of whom no good thing is expected. There is no necessity to particularize; the evil has long been seen and severely complained of—and those of the class alluded to, just serve to deprive a gallant fellow, who has long buffeted the waves, of a snug birth at a navy yard, &c. when he happens to desire to remain a short time with his wife and friends, or when detained against his will on shore, because there is no vessel in service suitable to his rank and special conditions of duty.

The nature of the profession requires that we should have many times more superior officers on the list than are actually employed at sea, or in fitting for sea. A large reserve is indispensable to the public good—but it does not ensue that, because a man has been made a lieutenant, and then promoted to the rank of master commandant and captain, by the force of mere seniority, he should retain his rank for life, though manifestly destitute of all the requisites that belong to it, or unwilling to exert them. There ought to be a plan provided to get rid of such—of suffering them to fall back into the mass of citizens, and become contributors to the public purse instead of consumers of its substance.

Without at all interfering with the merits of com. *Barron*—at present the second officer on the navy list—his case may serve as a sample of the kind of waste that we are reprehending. He was commander of the Chesapeake frigate when she was attacked by the *Leopard*, in the year 1807, and, in consequence of that affair, was suspended for the space of five years, which expired in 1812. He then returned to his rank and regained his pay, and ever since, it is presumed, has received the sum of 2,500 dollars a year for pay and subsistence—in the whole no less than twenty-two thousand five hundred dollars! What for? *because his name is on the navy list!* He has frequently solicited employment—he is, or is not, worthy of it; and the public ought to be relieved of this great expense of maintaining him, or he should be permitted to render something for it; at sea, in advice, or by superintendence. But he is now completely idle, as a navy officer—except to make out quarterly drafts for his own pay and rations, and live on the proceeds. This does not appear to accord with his wishes;—but that is nothing. It shews a want of power, decision, or discretion in the constitution of the naval establishment, or in some whose business it is to act on the provisions of the law.

Having offered these general remarks, we shall proceed to state a number of items for the public consideration—subject, perhaps, to future observation. We do not pretend that these items are strictly correct, though we have not spared our best efforts to render them so, by references to different documents in our possession; but we are satisfied that they are free from such errors as will affect any general conclusions that may be drawn out of them.

ITEMS.

1. The navy of the United States, (exclusive of the vessels on the lakes, not accounted as a part of the regular force), at present consists of—

Seven ships of the line—viz. the Independence, Washington, Franklin, Columbus, Ohio, North Carolina and Delaware. Two or three building.

Seven frigates—viz. the Constitution, Guerriere, Java and United States, of 44 guns; Macedonian 38; Congress and Constellation of 36; Fulton (steam frigate), 30. Two or three building.

Eight ships—viz. John Adams, Cyane 24; Erie, Hornet, Ontario, Peacock, 18; Alert and Louisiana of 18, but used as block or receiving ships.

Two brigs—Enterprise and Spark, 12.

Twelve schooners—viz. Alligator, Dolphin, Grampus, Porpoise and Shark, 12; Surprise, Nonsuch and Lynx, 6; Hornet 4; Bull Dog 2; Asp and Despatch, small.

And 6, or 8 gun boats.

2. *In service at this time.*—The Franklin 74; Constellation 44; Macedonian 38; Congress and Constellation 36; Erie, Hornet, Ontario, Peacock, 18; Enterprise and Spark, 12; the schooners, and a few other smaller vessels.

3. *Cost of vessels of the different rates, per ann. whether in service on a cruise, or in ordinary**—including every expense, except extensive repairs.

	On a cruise.	In ordinary.
A 12 to 14 gun	20,595	2,477
16 to 18	37,440	2,664
20	45,700	3,279
32 gun frigate	74,900	4,205
36 "	97,500	4,604
44 "	112,000	5,002
74 "	180,360	6,432

A small schooner or gun boat costs, when in service, about 6,250 dollars a year.

4. *Officers on the navy list.* The estimates for 1820 are made on the payment of 32 captains; 25 masters commandant; 10 lieutenants commanding; 203 lieutenants; 52 surgeons and 53 surgeon's mates; 45 pursers; 10 chaplains; 392 midshipmen, 76 sailing masters and 47 masters' mates; 31 boatswains, gunners and carpenters, and 21 sail makers—and 453 petit officers additionally; 1,388 able seamen, 1,370 ordinary ditto, and 278 boys. The total employed is given at 4,550, in that year—that is, 1,614 officers and petit officers, and 2,936 seamen, ordinary seamen and boys. There has since, I believe, been an increase of masters commandant and lieutenants, and a small decrease of petit officers including midshipmen, and of seamen; but we cannot speak precisely of the amount of either, for want of documents.

5. *Officers on service.* In the report of the commissioners of the 10th of Jan. last, the following is given as the amount of officers "necessarily wanting for actual service during 1821"—5 captains; 7 masters commandant; 9 lieutenants commanding; 57

*Report of the commissioners of the navy, Jan. 10, 1821—20th vol. of the Register, page 105—see also vol. 19, page 85.

Lieutenants; 11 surgeons; 23 surgeon's mates; 18 pursers; 4 chaplains; 1 schoolmaster; 20 sailing masters; 142 midshipmen; 11, each, boatswains, gunners, carpenters, and sail makers.

The result then stands thus—

	For actual service.	On the list.	Unemployed.
Captains	5	32	27
Masters com'dt	7	23	16
Lieutenants	66	213	147
Surgeons	11	52	41
Surgeon's mates	23	53	30
Pursers	18	45	27
Chaplains	4	10	6
Midshipmen	142	392	250
Sailing masters	20	76	56
Boatswains	11	31	20
Gunners	11	31	20
Carpenters	11	31	20
Sailmakers	11	21	10

Other petit officers (not designated) in the same proportion.

Three captains belong to the navy board—and receive pay as commissioners only; retaining, however, their rank in the navy.

6. *Cost of establishment.* I have no document at hand which shews the actual cost of the naval establishment since the peace—but we shall not depart widely from the real amount, by using those that we have—to wit, the facts and estimates given in the several treasury reports:

In 1815—Reg. vol. 9, p. 271	3,233,022
1816 ib. vol. 11, p. 265	4,204,911
1817 ib. vol. 13, p. 242	3,344,474
1818 ib. vol. 15, p. 257	2,958,000
1819 ib. vol. 17, p. 261	3,827,640
1820 ib. vol. 19, p. 229	3,746,762
1821 ib. " p. 230 (estim.)	4,670,594

\$27,985,403

In 1816, a million of dollars per annum were set aside as a permanent appropriation for the gradual increase of the navy—this sum was included in the estimates of 1821, though that appropriation was reduced to 500,000, and, therefore, we have deducted it from the sum originally estimated by the secretary of the treasury, which was 5,170,594.

7. *Pay and subsistence.* It would cost a great deal of trouble, and, perhaps, not compensate for the time consumed, to exhibit the whole cost of the officers on the list, and the amount paid to those in "actual service," according to the preceding statement—which shews that, of the superior officers, viz. captains, masters commandant, lieutenants, surgeons, surgeon's mates, pursers, chaplains and sailing masters, only 154 are required for actual service out of 504 on the list—leaving three hundred and fifty not in "actual service." But the case of the captains may elucidate the whole.

32 captains on the list, at 100 dollars per month—12 at 15 rations per day and 20 at 7 rations per day

\$67,590

5 captains for "actual service"—2 at 15 and 3 at 7 rations per day

10,643

56,947

8. *Comparative cost.* The amount of the pay and subsistence for all the officers and seamen estimated for, in 1820, was \$1,404,507, which may nearly serve for that which will be expended in the present year. It will not vary much in the aggregate.

The cost of the vessels now in service, (and we take the whole stated in the preceding list, though several are not on a cruise, or prepared for one),

may be thus ascertained, including all expenses.—[See Register, vol. XIX, p. 85.]

	Whole cost.	Pay and subsistence only.
1—74	189,529	160,455
1—44	133,985	113,170
3—one of 38, 2 of 36, 110,557	331,671	282,572
4—18	59,060	236,240
2 brigs	39,774	79,548
5 schrs. large size	23,250	116,250
4 do. small	6,452	25,808
5 gun b'ts or small ves.	6,243	31,215
		985,551
If from		1,404,507
We deduct		985,551

There is left the sum of \$418,956

Which amount—four hundred and eighteen thousand nine hundred and fifty-six dollars, is for the pay and subsistence of many officers and a very few seamen on shore: taking into the calculation all the vessels, to the best of our knowledge, that now are, just have been, or are soon likely to be, in "actual service."

9. *Force of the navy.* If all the ships authorized to be built were completed, the following would be the force of our navy—exclusive of the lake vessels:

12 ships of the line	Of which we have	7
14 do. of 44 guns		4
3 do. of 36		3
6 sloops		6
2 brigs		2
5 large schooners		5
5 small do.		5
10 gun boats and galleys		
4 steam batteries		1
Block ship		1
Receiving ship		1

The cost of the force authorized, in actual service, including the clothing of the marines, and an allowance of about 12 per cent. of the whole cost for repairs and contingencies, would be about 5,406,900 dollars a year, and require 22,670 officers and men.

10. *Cost of building ships and vessels.* The following is about the estimated cost of building and equipping vessels of the different grades:†

A 74	333,000
44	198,000
36	162,000
sloop	70,000

We do not know the cost of the schooners—but suppose that the large ones may cost about 40,000 dollars, and those of a smaller class from 15 to 18,000, completely fitted.

Several of the vessels built before the war, much exceeded these estimates; for instance, the Constitution cost 302,718 dollars, and the President (of the same rate) 220,910, &c. We cannot recollect the possession of any paper that shews the cost of those recently added to our navy.

The amount that has been expended on the building of vessels since the 1st of Jan. 1815, we have no present means to ascertain. Several vessels were then partly finished or equipped, others are now building, and large quantities of materials have been purchased and collected for those hereafter to be placed upon the stocks. By a reference to

†Report of the secretary of the navy, 3rd Decr 1811.

Seybert's table (Statistics, page 648) it appears that these only have been added to the list since 28th Feb. 1815:

Columbus, Ohio, North Carolina, and Delaware,

74's.

Alligator, Dolphin, Grampus, Porpoise and Shark—large schooners, and

The steam frigate, Fulton.

NATIONAL SUBJECTS. Many gentlemen when writing to me on business, honor the correspondence by some remarks on subjects which they deem interesting—more, perhaps, with a view to encourage me to proceed, or to point what they consider as errors of opinion in me, than to have their thoughts published. Indeed, they are not written for that purpose; but now and then, I meet with articles that should not be lost, and give them to my readers, even if every sentiment expressed is not entirely approved of by me. The following extracts contain much matter worthy of attention:

"I don't wish you to consider it as flattery when I say, that the "Register," which has always been interesting to me, has become more so of late—though by this I do not mean to be understood as approving of *all* the doctrines therein inculcated. For example—I am still somewhat of a sceptic in respect to *raising* the tariff. The duties on some articles ought, I think, to be diminished—the duty on *salt* I would altogether *abolish*. The importation of some other articles I would, at once, *prohibit*. I would repeal all laws allowing drawbacks;—and I would, most certainly, make provision that all duties should be paid in *cash* at the time of entry. If these things had been done some years ago, the balance of trade would not have been now so much against us; and we should not have needed a bankrupt law. The *credit system* and the *paper system* are one and the same thing. The one begat the other—that is, the credit system begat the banks—and the banks begat corruption and fraud, and so forth. In short, it is clear to my mind, that this credit or paper system has been the primary cause of *all* the evils—political, pecuniary, and moral, which now unhappily prevail among us.

But what think you of the "signs of the times?" I will tell you candidly that I begin almost to despair of the republic—and wherefore?—

1. Because the people are in a state of most profound lethargy. Nothing seems to rouse them. The reason is obvious. They are too much absorbed in their own private embarrassments. *They are too far removed from the affairs of the government;* and this will always be the case under the present disreputable and dishonest mode of taxation. It cannot be otherwise. In spite of all that you can say to the contrary, the people will coincide with those who tell them that they pay no taxes—or, in other words,—that the government imposes on them no "burthens."

2. Because the militia, hitherto styled the *paladium* of our liberty, is totally neglected—in these parts at least. How can we expect to remain free for any length of time, without a well armed and well trained militia?

3. Because of the collisions which are taking place between the general government and the states—each encroaching on the others power and prerogative, or doing some act not warranted by the letter and spirit of the constitution. The one claims the right of erecting great corporations of bankers and traders, within the limits of the others—and they, in express violation of the constitution, claim and exercise the right of "emitting bills of

credit;" or, what is the same thing, of *authorizing* it to be done. Nay—the state of Maryland has recently laid a tax on imported goods—or, what is the same thing, requires it to be paid for the privilege of vending them. Who cannot see that, by an extension of this principle, the states individually, may derive as much revenue from *imports* as the U. States? Surely this was never intended by the constitution—for the states, you know, gave up (and it was all they did give up as regards the right to tax), the right to levy a tax on goods imported, or on the tonnage of vessels. The only way in which harmony can exist between the different governments, is for each government to exercise the powers, and those only, with which *it is clearly and indisputably invested*;—and let it exercise these always with firmness and with rigor, too, when necessary. This would be the true way of having a *strong* government, and at the same time a free one, with a contented people. But it is too late now to do these things. Each party has advanced too far to recede.

4. Because the decisions of the supreme court are the *supreme law of the land*—in all cases *whatsoever*.

After reading the elaborate opinion of the court in the case of "Cohens vs. the state of Virginia," by which the court decided that it had *appellate* jurisdiction in the case, although the constitution expressly declares, that in all cases where a *state is a party*, the supreme court shall have *original* jurisdiction, I became convinced—not that their *honors* were right, but that the charter of our liberties really is a *nose of wax*, that can be moulded and twisted to suit any purpose that an ingenious subtle reasoner may wish. From another decision of the court it is also clearly discernable, that a state has no right to protect its own morals by prohibiting *gambling* within its borders—if, forsooth, it be deemed "necessary" thereby to raise money to embellish the metropolis of the union.

5. Because the practice now o'days is for almost all the public journals to abuse and vilify the congress, the representatives of the states and the people, and to praise and exalt the *executive*; and wherefore? Congress have no places to bestow—no patronage. They vote the money it is true; but the executive branch *disburses it*. Congress are blamed for *every* thing that is wrong—the executive for *nothing*. Every thing is right there—"The king can do no wrong." If we are not fast coming to this, I was never more mistaken. Let us score to the bones these reptiles in congress who are office-seekers, sycophants, &c. but, *as a body*, let us respect—let us revere them; at any rate, don't let us disparage the *people* in the persons of their immediate representatives.

I have tired you, and exhausted my paper. Excuse this hop, skip and jump communication. I hope I shall have the pleasure of meeting you next winter at Washington. Do not suppose that because I almost despair of saving the *ship*, that I would agree to give her up without a struggle—and a hard one too;—for, old as I am, I think I should be induced yet to *pull off my coat*, and try *titles* with those who would wish to make us, the people, "hewers of wood and drawers of water."

PIRACY. The present time seems to be entitled to the appellation of the *age of piracy*—caused chiefly by the spewings out of the late wars, and, especially so, of the contests between Spain and her late "American colonies." The *coasting* trade of the United States is almost daily insulted—the

voyage to and from New Orleans cannot be made in safety; and indeed, we are deficient in present means to protect it and bring the marauders to justice; for we have few vessels fitted for the purpose, notwithstanding the weight of our naval establishment. We want more strong, but "flying" schooners, to scour the coasts, and cause the property and persons of our citizens to be respected. The instances that reach us are of the most provoking description, and we can hardly open a newspaper without seeing "piracy" or "more piracy" staring us in the face. In the south seas, too, it appears by a circular of captain Ridgely, of the Constellation frigate, dated at Valparaiso, 20th of April last, that the "island of St. Mary's and the shores of Arauco" are "infested with people who have committed the grossest outrages on neutral flags and rights"—several American and British vessels have been plundered by them. We cannot fully reach those persons, but such as depredate on our coasting trade should be brought to judgment.

To recapitulate all the cases of piracy that have occurred in our neighborhood, and give a list of all the vessels plundered within the last two months, would, perhaps, fill a whole page! They are well known at "head quarters." We may notice, however, the two following:

The ship Orleans of Philadelphia from New Orleans, was robbed off cape Antonia, by a piratical corvette of 14 guns, of goods to the value of \$40,000. The marauders appeared to be Spaniards. After robbing the ship, the chief of the pirates pencilled in the French language, and delivered or sent to a United States' officer, a passenger on board the Orleans, the following note, which is correctly translated into English:

"At sea, and in good luck.

SIR—Between buccaneers, no ceremony; I take your dry goods, and, in return, I send you pimento; therefore we are now even: I entertain no resentment.

Bid good day to the officer of the United States, and tell him that I appreciate the energy with which he has spoken of me and my companions in arms. Nothing can intimidate us; we run the same fortune, and our maxim is, "that the goods of this world belong to the brave and valiant."

The occupation of the Floridas is a pledge that the course I follow, is conformable to the policy pursued by the United States.

(Signed) RICHARD CŒUR DE LION."

But what is terrible; a letter received at Charleston, from a gentleman at Matanzas, Cuba, dated 27th Sept. says—"Three horrible events have just taken place. Three American vessels—two of them coming in, viz. the brig John, Smith, and the schooner Milo, of Bristol; the other the sloop Collector, of Rhode Island, bound out, HAVE BEEN CAPTURED at the entrance of this harbor by a launch fitted out here! and manned by nine villains, viz. one Portuguese, six Spaniards and two Englishmen. They killed the captain and two men of the schr. and then ordered her to the northward; they murdered all the crew of the brig, opened their entrails, hanged them by the ribs to the masts, and afterwards set fire to the vessel and all were consumed!! The sloop was more fortunate; the pirates contented themselves with severely beating the crew and plundering her of the most valuable articles on board—they then collected the combustibles and set them on fire and left her, hoping, as in the case of the brig, to consume the vessel and crew together, but these last, fortunately, had strength

sufficient to take to her long boat, and have safely got back to Matanzas.

On their arrival, they applied to the governor for protection, and after some delay, he allowed the Americans in the place to arm in pursuit of the pirates. Three boats' full set out in quest of them, and after a cruise of 36 hours, have just returned without success.

EMANCIPATION OF SLAVES. Two works are published at Mount Pleasant, O. whose main object is the emancipation of the slaves, or at least to affect an amelioration of their condition. One is called the "Philanthropist," edited by B. Bates—the other the "Genius of Universal Emancipation," and edited by B. Lundy; both of whom are excellent men, influenced by the most benevolent and praiseworthy considerations. There is no one, or at least hardly any one, that is disposed openly to contest the right of the principles which they advocate, though most persons at all acquainted with the subject, may dissent from any project yet laid down to reduce them to practice. Nothing has ever presented itself to my mind that was so much hedged about with difficulties, and it is extraordinary, indeed, that what almost every man deems to be wrong, is without a feasible plan for its remedy: until we accomplish the latter—until we contrive some way to eradicate the color or destroy the prejudices against the *cast*, we cannot expect much resulting good from our efforts. The emancipation of the persons of the negroes, without an enlightening of their minds, and an elevation of them in society, will not answer—the *free* blacks are decidedly the worst part of the population of Baltimore, in which there are many of them. Would to heaven, that some way might be opened to relieve our country of a curse that, like a mill stone round its neck, impedes its march to real greatness and rightful power!

INTERESTING LAW CASE—before the court held at West Chester, for Chester county, Penn. about the 1st inst.

The bank of Montgomery county vs. Thos. Walker.

In the year — Walker and George borrowed of Thomas Walker his note for \$3,000, at ninety days, which they had endorsed, and had discounted in the bank of Montgomery county, giving Thomas Walker their bond for the same amount, by way of indemnity. The note was several times renewed, and the discount paid by Walker and George. At length Thomas Walker refused to continue the accommodation, and his note lay over. Enoch Walker, one of the firm of Walker and George, was a director of the bank, and upon being spoken to, in relation to this note, informed the board that Thomas Walker had refused to give a new note, observing that it made no difference, as Thomas Walker was the drawer, it might lie and he would pay the discount; in this way it was discounted for several times, until Walker and George failed. A committee from the bank called on Enoch Walker after his failure, and requested him to procure a new note from Thomas Walker, which he applied for, and was refused. This action was brought to recover the amount of the note which had so lain over. The note was, upon the face of it, a business note, and there was no proof that, at the time it was first discounted, the bank knew that it was an accommodation note. The question was, whether, under such circumstances, Thomas Walker was to be considered as the surety of Walker and George, and came within the rule of

law, that, where time is given to the principal without consent of surety, and principal fails, the surety is discharged.

The court charged the jury, that if, at the time the note lay over, and the arrangement was made with Enoch Walker, the bank knew that the note was an accommodation note. Thomas Walker was discharged from his liability. Verdict for the defendant, and bill of exceptions filed.

WASHINGTON CITY. We have a valuable statistical table of Washington and the district of Columbia, compiled by Mr. John Sessford. The following brief abstract may suffice for all common purposes: The city is divided into 6 wards; contains 994 brick and 1147 wooden houses—together 2141; population in Aug. 1820, 13,474—assessment of real or personal property, \$6,568,726; amount of taxes, \$32,843 63; city debt, 46,450 80; houses built in 1820, 113—66 brick and 47 wood.

Besides the United States' public buildings and the banks, there are in Washington, 2 Episcopal churches, 3 Presbyterian do. 2 Methodist do. 2 Baptist do. 3 Catholic do. 1 Friends' meeting, 4 markets, 2 Masonic halls, 1 theatre, 1 circus, city hall (building), jail, infirmary, orphans' asylum, &c.

The exports of the district in 1820, amounted to \$1,204,955, and the tonnage in 1819, was 7,789 registered, 13,160 enrolled, 2,192 licensed; gross amount of duties payable in the same year, \$152,878 72.

THE PRODUCTS OF THE WEST. The Louisiana Advertiser, of the 17th ult. contains an exhibit of the value of the crops of cotton, &c. for the year 1820, as follows:

120,000 bales Louisiana cotton, at \$58,	\$6,960,000
20,000 " North Alabama and Tennessee, at \$42,	840,000
27,000 hhds. Tobacco, at \$54,	1,450,000
30,000 " Sugar, at \$70,	2,100,000
15,000 " Molasses, at \$16,	240,000
	11,590,000

Of the sugar, 8,679 hhds, and of the molasses 5,591 hhds, were retained for the consumption of Louisiana, Alabama, and the interior states. All else exported or for export.

NEW-YORK CONVENTION. This body has been a considerable time in session; and laboriously employed in revising and amending the constitution of the state. The following report on the right of suffrage was made on the 6th inst.

Report of the committee of the whole, on the right of suffrage, and the qualifications of persons to be elected.

1. Every male citizen of the age of twenty-one years, who shall have been one year an inhabitant of this state, preceding the day of the election, and for the last six months a resident of the town, county, or district, where he may offer his vote, and shall have paid a tax to the state or county, within the year next preceding the election, assessed upon his real or personal property—or shall be, by law, exempted from taxation;—or, being armed and equipped, according to law, shall have performed, within that year, military duty in the militia of this state: And also every male citizen of the age of twenty-one years, who shall have been, for three years next preceding such election, an inhabitant of this state, and for the last year a resident in the town, county, or district, where he may offer his vote, and shall have been within the last year, as-

sessed to labor upon the public highways, and shall have performed the labor, or paid an equivalent therefor, according to law, shall be entitled to vote in the town or ward where he actually resides, and not elsewhere, for all offices that now are, or hereafter may be, elective by the people: *Provided*, that no male citizen, other than white, shall be subject to direct taxation, or entitled to vote at any election, unless in addition to the qualifications of age and residence, last above mentioned, he shall be seized and possessed, of his own right, of a freehold estate of the value of two hundred and fifty dollars, over and above all debts and incumbrances charged thereon, and shall have been, within the year, next preceding the election, assessed, and shall have actually paid a tax to the state or county.

2. Laws may be passed excluding from the right of suffrage, persons who have been or may be convicted of infamous crimes.

3. Laws may be passed for ascertaining by proper proof, the citizens who shall be entitled to the rights of suffrage hereby established.

4. The existing qualifications for the right of suffrage are abolished. The oath or affirmation of allegiance, which may now be required from an elector, is abolished.

5. No citizen, entitled to the right of suffrage, shall be arrested for any civil cause, on any day, or days of an election.

6. All elections by the citizens, shall be by ballot, except such town officers as may by law be directed to be otherwise chosen.

7. Members of the legislature and all officers, executive and judicial, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation:

I do solemnly swear, (or affirm, as the case may be) that I will support the constitution of the United States, and the constitution of the state of New-York, and that I will faithfully discharge the duties of the office of —, according to the best of my ability.

And no other oath, declaration, or test, shall be required as a qualification for any office or public trust.

NORTH CAROLINA, MONTGOMERY COUNTY.

We the grand jurors of the county of Montgomery, at the superior court at September term, 1821, for the county aforesaid, after having discharged the several duties required of us in our judicial character, avail ourselves of this opportunity to express, in our individual capacity, as citizens of the community, our decided disapprobation and abhorrence of the prevailing practice with candidates, who are canvassing for seats in the legislatures of our state and the United States, of descending to the drudgery of visiting every collection of the people in their respective counties and districts; of exhibiting public treats, and using other extraordinary means to enlist the favors of the people; thereby not only destroying the purity of elections, but vitiating the morals of the community. The constitution of our country, which is the supreme law of the land, declares that all elections shall be free; and, inasmuch as any individual who may offer himself as a candidate for the public suffrage, and indulges in the above practice, we do not hesitate to declare it, as our opinion, that he violates one of the leading features of the constitution of our country.

We further express it as our opinion, that, in countenancing the above practice, we open a door for the admission of men into the councils of our

country of dissolute and immoral habits, who may possess wealth, to the exclusion of men of more solid merit and ability, who may not feel willing to conform to the above immoral and dishonorable practice, to the ruin of the morals of the community and the impoverishment of their own families. We, therefore, pledge to each other our most solemn promise, to set our faces against the above practices, in our future elections, and also against each and every candidate who may descend to them; and, under a firm conviction that, adhering to this resolution, by the people generally, would be productive of much public good, we recommend it to our fellow citizens generally, to aid us in enforcing the above resolution.

Political Economics.

The following has been "lying on the table" for several months—but, like old wine, it seems to have improved with its age. It abounds with the best part of good composition, which is *common sense*.

From the Middleburg (Vermont) "Standard" of Feb. 13, 1821—a communication to the editor from a friend at Washington city.

DEAR SIR—That the citizens of the United States are suffering severely from the pressure of the times, none will have the boldness to deny; and there are few indeed, who are in the habit of reasoning and tracing effects to their causes, whose thoughts are not employed in searching for the *real* cause of our present depression, and the most practicable means of relief; but we are about as much divided in opinion on the subject, as the medical faculty are, in prescribing for their patients, when falling under the effects of a sweeping epidemic. Some ascribe our present evils to the want of a currency sufficient in amount to meet the exigencies of the country; and alledge that the issue of a hundred millions in government paper, would effect a cure. Others consider the want of currency, the *effect* of the evil, rather than the cause; and would regard the application of the proposed remedy, worse if possible, than the disease;—believing that relief is only to be found in the developement of the abundant native resources with which heaven has blessed our country; by proper application of domestic industry, and the circulation of its products, to the extent of the wants and conveniences of the different sections of the country: and that, instead of sending our raw materials abroad to procure the *necessaries of life*, we should have sufficient courage to rely for them upon ourselves; and in our intercourse with other nations, consult our *convenience* rather than our *wants*. Instead then, of asking for an emission of a paper currency, which they believe would paralyze rather than promote industry, this class of citizens, ask for protection against the effects of the corn-laws, and other regulations of foreign governments, who exclude from their markets, all the products of other countries not indispensable: and by the aid of bounties and premiums on exports, enable their manufacturing citizens to overstock the markets of the United States. It is believed that the experience of the last fifteen years, has sufficiently demonstrated the capacity of this country, under a reasonable protection from the government, to furnish an abundant supply of the *most needful* manufactures, from its own resources. And hence such protection is solicited, as shall enable the American manufacturers, to enter the markets of their country, without being met by a for-

eign competitor, at every corner of the streets: a competitor, too, who has no affections for the country, and can have no other interest than to withdraw from it all the wealth upon which he can lay his hands. It is asked that the capital invested in manufacturing establishments, may be held upon a more certain tenure, than the pleasure of other countries, who may greatly injure, if not ruin them, by overstocking our markets for a single year.

Whenever the protection of the manufacturing industry is proposed; the merchants, the ship-owners, and planters, cry out vehemently, "let us alone, leave things to themselves, and labor will be sure to seek the most productive employment." The policy of letting things alone, would certainly be good, if we had no intercourse with the rest of the world, or if other nations would consent to put it in practice. But the fact is otherwise, and where the propriety then, in leaving our citizens to struggle unaided, against all the embarrassments, to which foreign regulations and enterprise can subject them? The government readily enough, give all necessary protection to our foreign trade, a circumstance which is to be accounted for, from the combined influence of the merchants and ship-owners, who are desirous that the property of the world should pass through their hands, and that all imaginable wants should be supplied, through the medium of such exchanges as they may be able to effect; and the more remote the countries, between whom the exchanges are made, the better is the interest of this class of citizens subserved. Hence the predilection, in favor of supplying N. Hampshire and Massachusetts with iron from Russia, rather than from a neighboring state, although possessed by the latter in abundance; and the same in regard to other states, and other commodities.

On the subject of the foreign trade, the planters and many of our more limited agriculturalists, enter completely into the views of the merchants and ship owners, a circumstance for which I can only account, from the consideration of their having enjoyed the markets of the world, during the late unexampled period of the European wars, and when the prices obtained for their products, were such as to sustain them in the exchange for foreign commodities. They have been so long accustomed to look abroad for a market, and an exchange of products, that, notwithstanding the astonishing variety of soil, climate and natural resources of their own country, and the acknowledged skill and enterprise of its citizens, they deny to it the capacity, by any modification of its industry, to furnish a valuable home market, and a beneficial exchange of commodities. And hence, a policy prevails in the national councils, which leaves every thing so completely to the direction of chance, or the force of necessity, that, for want of objects sufficiently certain to call them into activity, much of the American capital and labor is either unemployed, or applied to unproductive objects.

It is true, that while pursuing our present policy, there will be occasional periods, when different branches of industry, will partially flourish; but only a portion of them at the same period. A scarcity in Europe, will, at times, give life to agriculture; but such an occurrence, whenever it happens, will be certain to throw into our markets a stock of foreign goods, which will either ruin or greatly injure our manufactures; and again, by the time the agriculturalists shall have gathered in the fruits of the industry called forth by the demand, they in their turn, will be depressed by its failure. Upon which, and the consequent non-importations,

the manufacturer, not previously ruined or too much disheartened, will gradually revive;—not indeed to enjoy a continued period of prosperity, but to be *sacrificed*, on the return of a foreign demand, for agricultural products.

Surely we must look in vain for national prosperity, and *real* independence, while every branch of industry is subjected to such perplexing uncertainty, for while every thing is thus uncertain, (and it cannot be otherwise so long as we continue to "let things alone.") Those who have capital will forbear to employ it except in "stock-jobbing," or other speculations which will add nothing to the wealth of the country; while those who have no capital, cannot find inducements sufficiently strong to call forth their energies to acquire it. Can our country then be flourishing and happy under the influence of such a policy? It surely cannot unless the nations of Europe shall be so *accommodating*, as to renew and perpetuate their wars.

It is urged in support of this "let us alone" policy, that should the foreign manufactures be excluded from our markets, exorbitant prices would be demanded for domestic fabrics, and unreasonably burthen every other interest, for the support of the manufactures. A sudden exclusion would, temporarily, have that effect; but it would be but temporary. Give but fair play to domestic capital and industry, and all the competition which can possibly be useful to the country, would soon be realized. Take for example the coarse cottons, which were in effect, (though not in form) prohibited by the tariff of 1816, and are now supplied in great abundance, from domestic sources, and at prices confessedly below any thing previously known. High prices, are not any thing like so essential to the prosperity of our establishments, as a steady demand, which will enable their proprietors to do a comparatively large business; upon a small capital.

Although I am perfectly satisfied that, without a change in the condition or policy of other countries, our resources must rapidly waste away, till a change shall have been effected in the policy of this; I would not recommend that such a change should be sudden; lest some essential interests of the country should be made to suffer. While the change should be rendered certain by the acts of government, it should, in my judgment, be made prospective. Suppose, for example, a law should now be passed, prohibiting the importation of woolen goods at the expiration of three years; a portion of our unemployed capital and labor, would immediately seek employment in the erection and enlargement of woolen establishments;—and a portion of our grain fields, now unprofitable for want of a market for their products, would be converted into sheep pastures;—our flocks of merinoes, would soon be replenished and enlarged, and I have not the remotest doubt, but at the expiration of the three years, our markets would be as abundantly supplied with woolen domestic goods, as they now are with coarse cottons, and at prices as reasonable and fair. Prohibit other articles, and the same results would be realized.

Some might properly be prohibited at earlier periods than others, in proportion to the time which would be required to bring our establishments to a suitable degree of maturity; and it would certainly be my policy, thus prospectively to prohibit the most *essential* articles, which enter into the consumption of the country; and for the manufacture of which, we possess such an abundance of the requisite means. This would distinctly indicate

certain definite objects, upon which the capital and industry of the country could be profitably employed; create divisions in labor, suited to the genius and capacity of all descriptions of our citizens; open a home market, and promote mutual exchanges between the different sections of the country, favorable to the happiness and prosperity of all, and to the perpetuity of our institutions.

If, under such a state of things, there should occasionally be a foreign demand for the products of any branch of industry, it might be enjoyed by that branch, to the benefit rather than the injury of others. It unfortunately so happens that some of the different interests of the country, otherwise beneficial to all, have each such a kind of jealousy of the other, and are so much inclined to regard any protection afforded to one, as something subducted from the other, that the government seldom adopts measures favorable to either, till it is influenced to do so by evident *strong currents* in public opinion; and hence, little is to be expected in aid of manufacturing industry, till a current, not easily resisted, is made to set in its favor. This, at least, is my opinion, and if the best interests of our country require, as I believe they do, that such protection should be afforded; it is of infinite importance, and one of the first duties which we owe to ourselves and posterity, that we discuss the subject with a becoming firmness and zeal, and endeavor to hasten the period when public opinion shall distinctly indicate the course the government should pursue. In the prosecution of this duty, we shall experience opposition of the mercantile and shipping interests and the habits and prejudices of many valuable citizens; but if the best interest of our country require it, we ought, regardless of consequences, to persevere in the conflict, particularly as it will be but a conflict of opinions, in which reason must always be left free to combat error.

Much, in my judgment, may be done by example only; both in direct aid of domestic industry, and indirectly, as a relief from the general pressure of the times. I respectfully suggest, then, whether it does not become those who have been favored with such a condition in life, as to give to their example any influence, to abstain *absolutely* from the use of foreign articles not *essential*, and from all others a fair substitute for which can be obtained among the products of the skill and industry of our country.

I can fancy to myself no limit to the arguments which might be employed in favor of certain *absolute protection* to domestic industry; but confined as the limits of a letter must needs be, and more particularly, when written amidst an accumulation of interesting public duties; but few can even be hinted at, and those rather indistinctly than otherwise. If the few I have employed shall meet with your approbation, and have a tendency to elicit discussion on the subject, all that I have a right to hope will have been accomplished.

Gratitude for services rendered.

The following is so honorable to all the parties concerned, as well as to the character of our country, deeply affected by the conduct of our citizens abroad, that we insert it with pleasure. It was translated for the "Philadelphia Gazette."

To the editors of "La Tribune."

GENTLEMEN—I have read with a lively interest, in La Tribune, the merited praise of gen. Clausel.—I, more than any one can attest the truth of your words and render justice to the courage, the hu-

manity, the disinterestedness of this warlike citizen; and assure your readers, that when he enters France it will not be to become the flatterer of despotism, but to place himself in the midst of the defenders of your liberties. I have had the honor, gentlemen, of your friendship in the army. I have survived its death—I thought an instant of its resurrection, but when Mr. Gouvion Saint Cyr, quitted the ministry, I again laid aside my sabre and epaulets; these are articles now useless in France, henceforward we must content ourselves with scapularies and cowls. Having been a prisoner in Russia, I returned with my companions in misfortune helpless, without clothes, without money, wounded, and worn out with fatigue and famine. It was only a long time after our arrival, that we learned, in reading some old gazettes, that a paternal government had prepared for us resources of all kinds on the way. We did not perceive it on our road for we were often obliged to beg our bread! Gentlemen, the expression is not too strong for it is true; I repeat it without shame, to beg our bread! and we will be again ready to expose ourselves to the same dangers and submit to the same humiliation for the service of France. But it is not this of which I wish to speak to you.

We were made prisoners in Prussia in 1813, and sent to Russia. I remember that gen. Lauriston was the only one who would not partake the lot of his comrades, and that he obtained the favor of remaining at Berlin, where he met with the most distinguished reception, at the same moment when the other Frenchmen were treated with the greatest inhumanity.

We passed through Koenigsberg and were in the most deplorable state. At this time Mr John Connell, a citizen of Philadelphia, was also at Koenigsberg—it is to signalize, by the gratitude of all Frenchmen, the name of this generous man, that I beg you, gentlemen, to publish this letter. Mr. Connell engaged the major of the 4th regiment and a captain of a squadron of the 3d hussars, to solicit permission of the governor of the place to remain there at their own expence, which was granted them. It was of Mr. Connell that these two officers received all the necessary succours, under this condition alone, that they should conduct to him all the French officers who passed through Koenigsberg, in order that he might succour them also.—These interviews could only take place at night to deceive the severity of the governor. The generous American commenced by sending two hundred francs to each of the wounded French officers who were at the hospital, where they were in want of every thing: they were about fifty. I saw them myself at the time of my passage through Koenigsberg with twenty of my companions.

The superior officers, of whom I have already spoken, conducted us to Mr. Connell's house; he received us at midnight, served up to us a supper which we shall remember all our life, had our wounds dressed by his servants, and gave to us each two hundred francs, and five francs to each soldier. Readers of Bordeaux! but a short time after, men among you who call themselves Frenchmen, dared * * * * I will not finish, you understand my silence.

Finally, after a long and sorrowful captivity we returned to France, and I suppress, through moderation, the recital of this reception which was made us in different towns, by the authorities of the time. It was in the month of August, 1814.—We learnt at Paris that our benefactor, our saviour, Mr. John Connell was in the same city, and watch-

ed as suspected by government! Indeed, never was suspicion better founded. To snatch Frenchmen, prisoners, from the hospitals of the Prussians and the lances of Cossacks, must be a crime of high treason in the eyes of certain persons who had the liveliest friendship for the Prussians and Cossacks! Mr. Connell lodged in Helder street, at the Heron hotel. We went there in a body, and having received from his mouth a confirmation of the afflicting news which had been told us, we went immediately to the minister of war, and having informed him of the whole truth, we were happy enough to obtain that his excellency should permit our liberator to return to America, and should give him passage in a vessel of state which conveyed him to his country. We know not what has since been the fate of Mr. Connell.* We wish that the expression of our gratitude, consigned to your leaves, could reach him. We are certain that our sentiments will be partaken by you and your readers, and that your esteem for Mr. Connell will be one of the sweetest recompences of his virtues! As to us, with transport will we seize upon the opportunity of being useful to him, if ever it presents itself, and from this moment we offer to him all that remains to us, a grateful heart—our half pay and our sword.

Receive gentlemen, the assurance of my distinguished consideration.

—, *A Disbanded officer.*

Legislature of Tennessee.

Friday, Sept. 21. The committee to whom was referred, so much of the governor's message as relates to the pecuniary embarrassments of the citizens of this state, and the propriety of abolishing imprisonment for debt, respectfully report:

That they have had the subjects referred to them under deliberate consideration, and have bestowed on them that careful examination which their intrinsic importance so peculiarly require. Your committee deem it unnecessary to enumerate, in detail, the causes which have been instrumental in producing the present embarrassed condition of the country, as those causes have, in a great degree, ceased to exist, although their distressing effects are still severely felt. The unnecessary and extravagant consumption of foreign articles among us, has accumulated a large debt against the citizens of the state, which occasions most of the difficulties now felt by the people; and altho' this foreign debt is owing but by a few, yet, to those debtors many others are indebted, who in their turn have their debtors also, so that; whenever foreign creditors press for payment, the pressure extends, and is sensibly felt in every department of society. Your committee are of opinion, from the best information they can collect, that this foreign debt has been much diminished within the last two years; probably three fifths of it has been entirely extinguished, and from the economical and industrious habits now resumed by all classes of the citizens of the state, indicating the most flattering improvements in public morals, it is more than probable, that evils of a similar kind will not hereafter recur from the same causes. To relieve from present embarrassments and alleviate present sufferings is all that calls for legislative interposition: and altho' your committee have no doubt of the constitutional power of the legislature to act, un-

* Mr. Connell is now at St Petersburg!

controlled by any other department of the government, in all matters in relation to the legal remedies given to a creditor for the recovery of his debt; there are certainly, some weighty considerations of a moral and political character which should not be overlooked by the legislature, when acting upon the delicate relations, which subsist between the creditor and debtor. And while it must ever be the duty of law makers to prevent debtors from falling a sacrifice to their creditors, it ought to be constantly remembered that the creditor has his rights also which the legislature is under every moral obligation to preserve inviolate. Your committee are aware, that the circumstances under which the existing debts have been contracted, and the continued diminution of the circulating medium, furnish strong arguments in favor of laws of an alleviating character; but at the same time, let it be enquired, is a property law, the measure recommended by his excellency, the proper remedy? Your committee think not. These debts were not contracted with a view that the creditor should receive his debt in property, unless he elected to do so voluntarily. The inconveniences arising in practise under such a law, furnish forcible objections to it. The inequality in valuations would cause it to operate unjustly. The high price at which the property would be valued in many instances, would entirely prevent the creditor from a fair satisfaction of his debt. If such a law extended to lands and negroes only, it would be favoring one class of citizens, while it would leave another class altogether unprotected. If it were extended to every species of property, the expence of keeping and preserving it would frequently consume the value, leaving the debt unpaid: and your committee cannot avoid seeing the means that would be resorted to by debtors in certain cases. They would surrender the piece of property of great value, and not susceptible of division, for the purpose of satisfying a small debt. A stranger scarcely in any instance, would give three fourths or two-thirds of its value, and the creditor would be wholly unable to purchase at the price required. This would, in its consequences, amount to a denial of right and justice: your committee, therefore cannot accede to the adoption of the measure recommended by his excellency in that part of his message which relates to the propriety of passing a property law. Your committee are of opinion, that a due regard to the rights of both contracting parties require, that such a course of legislation be preserved, as would, not in the least degree, disappoint the reasonable expectations of both parties at the time the contract was made. Your committee, at the same time that they thus freely express their decided disapprobation of a property law, on account of its unjust operation on the creditor, have no hesitation in stating, that in the present condition of the country, to permit creditors to exact specie in *prompt payment* from their debtors, would be a species of injustice of a nature most alarming and ruinous in its consequences; and whenever the legislature shall surrender the right of prescribing the mode in which the payment of debts shall be forced, and the execution of judgments regulated; then, indeed, the powers of legislation will have but little to operate upon, and other departments of the government, will have to supply those means of redress, which, as has hitherto been believed, the legislature was alone adequate to provide. Your committee believe that an execution is a creature of the law-making power, and that the legislature alone has the constitutional right to

declare when, and how it shall issue, and what proceedings shall be had thereon. Your committee under this view of the subject, reserves to itself the right of hereafter reporting such bill or bills upon this subject as they shall judge necessary, but believe that any measure of that kind would be premature, until the committee appointed on that part of the governor's message, which relates to the banking institutions, shall have made the report to this house.

With regard to that part of the governor's message, which relates to imprisonment for debt, your committee are aware that in ancient times, when the liberty of the citizen was less valued than at present, the unfortunate debtor was considered as the slave or the property of his creditor. This idea could have only prevailed on the ground that money ought to be more highly esteemed than liberty. This mode of thinking your committee hope has long since been entirely exploded in this land of freedom; and there is but one remaining reason, why imprisonment for debt should be allowed, which is, that the debtor may secret or conceal his property from the officer, and the imprisonment of his body, may coerce its production.—Such cases may occur, and ought to be provided for by law, with the double view of enforcing payment and of punishing fraud. But in cases in which no such grounds exist, for suspecting the debtor of unfair concealment of its effects, your committee believe, that no humane creditor would desire to deprive his debtor of his liberty, and no unfeeling creditor should be permitted so to do.

Your committee therefore recommend the adoption of the following resolutions, viz.

1st *Resolved*, that no property law ought to be passed.

2nd. *Resolved*, that a law ought to be passed prohibiting imprisonment for debts, except in cases where it shall appear that the debtor has fraudulently secreted or concealed his property or some portion thereof.

All which is respectfully submitted.

FELIX GRUNDY chairman

Foreign Articles.

GREAT BRITAIN AND IRELAND.

London papers of 30th August.

The most important things mentioned, is the doings of the king and his loyal subjects in Ireland. We have made some extracts below to excite the laughter of our readers.

There are long details of the ceremonies that took place in Germany, as the queen's body passed along to its place of interment. Her remains were most respectfully treated every where on the continent.

A great procession took place at London, on the interment of the bodies of the two persons who were killed on the 14th of August, when the militia fired upon the people that accompanied the remains of the queen through London. There was a considerable deal of mobbing, as customary—which was put down by the soldiers as usual; after which John Bull went home content! The coroner's inquest held over these men, brought in a verdict of "wilful murder against a life-guard man, unknown to the jury."

A pretty severe battle has been fought in Ireland, near Askheaton, between a body of poor people, who undertook to regulate a tythe-proctor, and the police. Both parties were partially armed, and several were killed.

Irish loyalty and bombast—from different papers.

"The page of history presents no parallel—the fiction of poetry affords no passage sufficiently strong to represent the scene exhibited yesterday."

"In grandeur it could not be surpassed even by the most gorgeous display of the east. But it was distinguished by another tribute: the heart was there—it beat vigorously in the breasts of the people—it swelled in the bosom of the king:

Now strike the Irish harp again:
A louder yet, and yet a louder strain.

"The sun never shone on a prouder or happier day for Ireland than yesterday. The magnificent entry of the British monarch into the capital of Ireland (Dublin) yesterday, exhibited a display of pomp, and pageantry, and pride, unsurpassed by any thing in modern London—unequalled by any thing we read of in ancient Athens, Rome, or Lacedæmon. The occasion was *too big*, the scene too grand for utterance; no expression can express—no description can describe it," &c. &c.

"At Howth, the spot upon which his majesty first set his foot upon Irish ground, has been excavated; two excavations have been made in the granite upon which his majesty first stood; they are to be covered with brass plates, and between them a pillar erected, surmounted by a beacon, to commemorate the auspicious event. Subscriptions are now carrying on with great activity among the inhabitants of Howth, by Mr. M'Dowell, to execute the work; and it is intended to be on such a scale as will enable navigators, when they approach the coast, to witness this mark of local gratitude from the people who had first the honor of greeting their sovereign upon Irish ground."

Stocks—Aug. 30, 3 per cent. cons. 75½; 4 per cent. 95½; 5 do. 108 7-8. American 6's, 100 to 103½; 5's 101; bank shares, no price.

FRANCE.

The court has gone into mourning for the queen of England. The duke of Wellington was at Paris, and seemed to have much to do there. It was reported that the king of England would visit that capital.

Numerous lithographic prints, calling to recollection the death of Bonaparte, are circulated in Paris. The government is represented as alternately tolerating and prohibiting them.

It is said that a theatre, of truly gigantic dimensions, is about to be erected in Paris. The stage will be one hundred feet high, and three hundred feet deep. The performances are all to be of the romantic kind; the scenes will be laid on mountains, in valleys, beside torrents, and sometimes in the clouds. The opening piece will have the following attractive title: *The unknown Spirit of the Mysterious Grotto, or the immense vacuum of the Solitude of the Desert*. Each box will be provided with a telescope !!!

The *Paris Moniteur* contains an elaborate report of the labors of their council of agriculture, during the last year. It is an able paper, but keeps quite clear of the commercial part of the subject; and so far affords no points for comparison with recent inquiries in England. Upon this an English editor remarks: "The growing internal prosperity of France, at this moment, is very apparent, as well from this document, as from all other facts and information of a kindred nature. Two or three years hence the development will be still more striking, and we shall begin to discover that the Bourbons are once more natural enemies."

NAPOLEON BONAPARTE.

The *Brussels Oracle* of the 18th August, says, that they value the property which Bonaparte placed in the different banks, at 36,000 francs. As to the memoirs which he wrote at St. Helena, it appears certain that there exists three copies of them; but it seems doubtful whether they will be delivered to the printer for some time to come.

It is stated that prince Eugene has requested the remains of Napoleon—the codicil of the deceased expressed a wish that "his ashes might repose on the banks of the Seine, in the midst of the French people that he had so much loved."

SPAIN.

The accounts from Madrid are to the 17th of August. We are gratified to perceive that profound tranquility prevails in all the populous cities of Spain, and there are strong indications that political liberty and liberal principles are becoming more firmly established. The hordes of banditti, however, still prowled about through various districts, and in some instances, they laugh at all the measures which the governments order against them. On the 8th of August, a proclamation was issued by the political chief of Valencia, stating that the king had ordered 10,000 reales de Vellon to be paid to Juan Navarro, for having killed the famous Marrana, one of the chiefs of the band of Jaime Alfonso. A reward of 30,000 reales is offered for the apprehension of Jaime himself, 10,000 for that of each of the individuals who have been more than four years with him (so long has he carried on his depredations), and 6000 for each of the other persons who belong to the band at the publication of this notice.

Almost simultaneously, with the publication of this decree, Jaime contrived to take prisoner a son of the above Juan Navarro, and he has had the insolence to send to the afflicted father, demanding 2000 piastres for the liberty of his son, assuring him that if the sum is not paid within six days, the boy, (a lad of 15), shall be flayed alive! What a dreadful alternative for a poor father. He is doing his utmost to collect this enormous sum, and some generous inhabitants have contributed: and then the demand of Jaime, that the father himself shall bring it to the Sierra alone without any escort! To hazard at once the money and the lives both of the father and the son. *Com. Adv.*

The extraordinary cortes, was to meet on the 24th Sept. to take into consideration many weighty matters for the well being of the nation.

There has been a severe investigation of the proceedings that took place at Cadiz, in March, 1820—and several officers who appear to have incited the massacre, will probably suffer for their proceedings.

Some amendments to the constitution of the cortes are contemplated—the chief thing is to divide the legislature into two bodies.

No rain had fallen at Madrid for three months.

TWO SICILIES.

A number of distinguished persons are to be banished from Naples, for their revolutionary principles. The *Sicilian* government has concluded a loan with Rothschild & Agerman (bankers) for one thousand ounces of gold.

KNIGHTS OF MALTA.

According to letters from Hamburg, the allied powers have formed a plan for reviving the knights of Malta, in order to make a provision for the cadets of noble families, in the different states of Europe. The scheme is to admit protestants as well as catholic knights, and the provision to be made

out of the territorial possessions of the Mahometans in Europe.

AUSTRIA.

The emperor is still marching troops to the Turkish frontier. He appears to act entirely in concert with his imperial ally of Russia. Certain Turks, that pursued some fugitive Greeks into the Austrian territories, were compelled to make a precipitate retreat.

PRUSSIA.

The king seems to stand neutral as to the disturbances in and proceedings against Turkey. The newspapers, however, are allowed to publish articles favorable to the Greeks. The censorship on the press, in this kingdom, is very rigid, and extremely tyrannical. The following account of it comes into the history of the times—

"The restrictions imposed on the press in Prussia are of the most rigid and arbitrary nature. The censors of the other German states are regarded as much too indulgent by the Prussian government, and all German books published out of Prussia, undergo a fresh examination at Berlin. It even appears from the foreign papers, that censors are appointed to inspect the works of particular booksellers. Thus, in a letter dated Berlin, August 9, it is said, "The special censorship to be exercised over the works published by M. Brockhaus, of Leipsic, which may be imported into Prussia, is confided to M. Heydebreck, superior president of the province of Brandenburg. From him, in future, will emanate all the ordinances for the whole monarchy relative to M. Brockhaus' publications. The censorship of M. Brockhaus' books is not confined to political works, pamphlets, and periodical writings, but extends to publications strictly scientific and literary. The special sub-censors are, for theology, philology, and pedagogy, M. Ritschel, counsellor of the consistory; for medicine, rural economy, and the veterinary art, M. Koenen, counsellor of the college of medicine; for jurisprudence, M. Grano, counsellor of regency; for belles lettres, M. Langbein; for public law, M. Jouffly, counsellor of legation."

RUSSIA.

The emperor has conferred the "order of St. Anne, of the first class," on M. Poletica, for his distinguished services as envoy extraordinary, &c. to the United States.

The fleet in the Black Sea, consisting of 10 or 12 fine ships, is ready for action.

Though the following tremendous view of the military power of Russia, is given in an article under the Petersburg head of the 24th July last, we apprehend that the amount must be exaggerated;

"Russia contains about thirty-eight millions of inhabitants; that is to say, nineteen millions of males. The object of colonization is, that there may be always two in a hundred capable of bearing arms, which, if all the Russian empire were colonized, would give 380,000 men, exclusive of the regular troops. At present, the emperor can only draw, at the utmost, 250,000 men; besides, the Russian nobles, who are proprietors of immense domains and numerous inhabitants, are opposed to his system, and do not introduce it in their possessions, but think it sufficient to furnish the men whom they are bound to do for the contingent of the imperial troops.

These troops, at this moment, amount to the alarming number of 912,000 men, exclusively of the colonization forces, the permanent army of Siberia, (the number of which is not very accurately known); and the Polish army, which, in truth,

amounts only to twenty-five or thirty thousand men, and which the Russians hold in sovereign contempt.

The 912,000 men at present enrolled under the Russian banners, are disposed as follows:

Ten infantry corps d'armee, each consisting of 54,000 men, and dispersed throughout the various provinces of the empire, 540,000

The corps d'armee under prince de Wittgenstein, encamped on the frontiers of Turkey, 92,000

The corps d'armee of general Yermantoff, which was thought destined to Piedmont, and which, at the request, it is said, of the emperor of Austria, continues stationed on the frontiers of Silesia, 112,000

The imperial guard, composed of 40,000 infantry and 10,000 cavalry, 50,000

The permanent corps of 54,000 men, which watches Persia, 54,000

A corps of d'elite of 14,000 grenadiers, 14,000

And, finally, five corps of cavalry, each 10,000 men strong, 50,000

Making an aggregate force of 912,000

TURKEY.

The Porte, in his present difficulties, seems to lean on the hope of succor from Great Britain; who is well disposed, we think, to prevent a subjugation of his country by the Russians, unless permitted to "come in for snacks."

The Greeks were engaged in forming a local government, to hold its sittings at Leontari, in the Morea; which district of country is generally relieved of the Turks, a few fortresses excepted. The report of a great victory gained by the Greeks at sea, is not confirmed.

Ypsilanti has withdrawn himself—yet it appears that the insurrection in Wallachia had not been wholly suppressed. Considerable parties of Greeks were still in arms, and occupy the mountains. A German legion is said to have been formed at Hamburg to assist the Greeks.

The following trait of the sister of prince Ypsilanti, deserves to be recorded. She sent him, for the public service, her dowry, amounting to 20,000 ducats, with a letter, in which she declares "that she would rather be a servant in Greece liberated, than a princess in Greece enslaved."

Demetrius, the brother of Ypsilanti, has arrived in the Morea, and been declared commander of the Greeks there. Ali Pacha still maintains his ground, though several times reported dead or defeated.

An extensive insurrection has broken out in Arabia—the head of it is a person claiming descent from Mahomet, and apparently disposed to pursue the course of that conqueror.

The princes Callimachi are the only Greeks in favor with the Porte; and the Greeks curse their whole race as apostates. The Russian ambassador was still closely watched, or rather confined, at Bukjukkere.

The Greeks are said to have captured, in the whole, about 150 Turkish vessels; all of the crews of which they put to death!

A private letter from Buskawina, in the *Journal des Debats*, states, that a severe conflict had taken place at Bragash, on the 25th July, between a party of Heterists, 140 strong, and 1700 Turks; the Heterists retired to the convent which was forced by their opponents. The Heterists retired unarmed into the Austrian dominions. 70 Turks were killed and the Heterists lost 29. The Heterists taken prisoners were most barbarously treated. The Turks

cut off an arm or a foot of some, roasted them, and made them eat their own flesh. The cruelties of the Ispraonicks, (the chiefs of districts), exceed all conception.

Some of the accounts say that hostilities exist between the Russians and Turks—others, that the latter have submitted to the conditions tendered by the former; and this seems the most probable, as things are stated. But Russian troops were still proceeding to the frontiers, in great numbers.

The following is given as the substance of the ultimatum proposed by Alexander to the Turks:

1st. The evacuation of Moldavia and Wallachia, in favor of Russia.

2dly. Amnesty to the Greeks.

3dly. Free navigation of the Dardanelles, full and complete.

4thly. Full and complete indemnification to the Greeks for the loss of property already destroyed, and security against any future destruction.

5thly. Complete repair of the Greek churches, and re-establishment of the Greek religion. And

6thly. A public and open apology to baron Strogonoff, for the continued insults which the Porte had offered him.

A period of eight days only was allowed to answer this demand, from the court of St. Petersburg.

A number of bakers at Constantinople have lately had their ears nailed to their door-posts, for selling light bread. This is the usual punishment for that offence.

The Greek patriarch—from a Paris paper. "Gregory, the pious and venerable patriarch of Constantinople, who fell a victim to the infatuation and revenge of the populace, in the 80th year of his age, was a native of Peloponnesus. He was first consecrated to the archiepiscopal see of Smyrna, where he left honorable testimonials of his piety and christian virtues. Translated to the patriarchal throne of Constantinople, he occupied it at three distinct periods, for, under the Musselman despotism was introduced and perpetuated, the anticonical custom of frequently changing the head of the Greek clergy.

"During his first patriarchate he had the good fortune to save the Greek christians from the fury of the divan, who had in contemplation to make the people responsible for the French expedition into Egypt. He succeeded in preserving his countrymen from the hatred of the Turks, but he was not the better treated for his interposition: the Turkish government banished him to Mount Athos. Recalled to his see some years after, he was again exposed to great danger in consequence of the war with Russia; and on the appearance of an English fleet off Constantinople, the patriarch was exiled anew to Mount Athos, and once more ascended his throne on which he terminated his career.

"This prelate invariably manifested the most rigid observance of his sacred duties; and in private life he was plain, affable, virtuous, and of an exemplary life. To him the merit is inscribed of establishing a patriarchate press. He has left a numerous collection of pastoral letters and sermons, which evince his piety and distinguished talents. He translated and printed in modern Greek, with annotations, the epistles of the apostles. He lived like a father among his diocesans, and the sort of death he died, adds greatly to their sorrow and veneration for his memory. This prelate had not taken the least share in the insurrection of the Greeks—he had even pronounced an anathema against the authors of the rebellion; an anathema dictated, indeed, by the

Musselman's sabres, but granted to prevent the effusion of blood, and the massacre of the Greek christians."

The Greek princes. There are six families of more note than the rest among the Greeks: their names are Ypsilanti, Marozi, Calimachi, Soozo, Handzerby and Marrocordato. These have either aspired to, or obtained, in their turns, the situation of hospodar or prince of Wallachia and Moldavia. In 1806, the Porte was persuaded by the French, that Ypsilanti and Marozi, the hospodars of the two provinces, were in the interest of Russia. He removed them; Soozo and Calimachi being appointed in their room, by the interference of Sebastiani, the French ambassador. Marozi, on his recall, came back to Constantinople, but Ypsilanti went to Russia, and thus brought on his family the vengeance of the Porte. His father, aged 74 years, who had been four times prince of Wallachia, was beheaded January 25, 1807, and he is now undertaking to revenge himself against the Porte.

BRAZIL.

We have late advices from this country, which represent it in a most confused and unsettled state—the country people, in arms, being opposed to the royal governors, &c. in the cities. Great outrages have been committed, and several of the principal inhabitants have been suddenly shipped off to Lisbon, to be tried for their revolutionary principles. We do not understand what the people are aiming at—but they seem to have some crude and indigested ideas of independence and a free government.

COLOMBIA.

Carthagena was still held by the royalists, as well as Porto Cabello; but both were about to be invested with powerful armies. All the rest of the republic was tranquil, under the administration of the congress. There are some Spanish vessels of war on the coast. Many promotions have been made in the army—the British legion has received the honorary appellation of the battalion of Carabobo.

The Caraccas Gazette of the 29th August, contains a decree of the congress, respecting the freedom of the slaves: the following is a short extract of the decree:—

"All the offspring of the slaves born after the date of this decree, shall be free. Their masters will bring them up, and provide for them, until their eighteenth year, and until that period enjoy their services.

"No slaves can be sold beyond the provinces of their habitation; nor can any children be separated from their mothers. Slaves can no longer be imported, and a foreigner arriving in any of the ports of Colombia, will be allowed to import but one, under the denomination of a servant, whom he must carry with him on leaving the country, otherwise he will be looked upon as free. Those slaves who have hitherto performed useful services to the republic, will forthwith be considered as free."

PERU AND CHILI.

The fall of Lima and consequent extinction of the royal power in Peru, is now highly probable. Accounts to the 16th July have been received, and from these it appears, that the Chilians gained a complete victory over a large body of the royalists at a place called Pasco, which led to an armistice, between St. Martin and the vice roy, (proposed by the latter.) We have a copy of this armistice duly signed, &c. It is dated at "Pinchanapa, at 5 o'clock, P. M. on the 23rd of May, 1821"—its object was to suspend hostilities, for twenty days, to be ex-

tended, if necessary, to allow the meeting of pacifying deputations; and negotiations were going on, though we are not advised of their immediate purport.

Lord Cochrane captured a place called *Moyendo* on the 18th of June—it seems to be a port of considerable importance.

A vessel has arrived at Philadelphia from Rio Janeiro, which reports the arrival at the latter of the ship *General Brown*, from Callao, with 72 passengers, among them the ex-king of Peru, and a large quantity of treasure.—It is added that the *General Brown* was conveyed from Callao by the *Constellation* frigate. We hope that this report is not true.

CHRONICLE.

The chevalier d' *Anduago*, envoy extraordinary and minister plenipotentiary to the United States, from Spain, arrived last week at New-York: and in the same ship came Philipps, the singer, and several other theatrical adventurers.

Gen. Jackson. We hear, says the *Washington Gazette*, that the hero of New-Orleans, general Jackson, has arrived at his seat near Nashville. It is also reported that he has resigned, or intends resigning, his appointment as governor of Florida.

Explosion. Four persons were killed and two sadly wounded, by an explosion of the stamping mill, at the Bellona powder works, near Baltimore, on Monday evening last; among the former was the manager of the works. These mills have been frequently blown up. The present disaster is supposed to have occurred from the driving of an iron nail with a copper hammer, by the manager, within the stamping mill, which had been stopped to make some slight repair. All of the deceased have left families.

Seduction. A person was fined 2500 dollars in Baltimore, the other day, for seducing a poor man's wife—and two chaps have been brought up with damages, in New-York, in 1000 dollars each, by the fathers of two unfortunate females that were abused by them.

The civil offices in the city of New-York, in the gift of the council of appointment, amount to seven hundred and nine.

A weaver, in Ireland, has lately finished a shirt complete, in his loom, without a seam—it is accurately gathered at the neck, shoulders and wrists, and the neck and wristbands are doubled and stitched, &c. as usually done with a needle.

Pennsylvania election. Judging from the returns that have been received, the next legislature of Pennsylvania will contain a considerable majority of members opposed to the present administration of the state. The "*Franklin Gazette*" says the house of representatives will consist of 75 opposed and 23 favorable to it. The same interest has also a majority in the senate—17 to 14.

Maryland. John Johnson, chief judge of the 1st judicial district of Maryland, has been appointed chancellor of the state, vice the venerable and much respected Mr. Kilty, deceased. This proceeding has, perhaps, as nearly given universal satisfaction as it was possible to hope for.

Indiana. We lately mentioned the arrival of some paper to be made into money at the new state bank of "Indiana." This appears to be an error, as we are told that there is no such bank in that state, and we are happy to contradict the report.

Died, lately, at his lonely hovel among the hills, 12 miles S. E. from Harrisburg, Penn. Mr. ——— Wilson, who for many years endeavored to be a solitary recluse from the society of men, except as far as was necessary for his support. His retirement was principally occasioned by the melancholy manner of the death of his sister, by which his reason was also partially affected. She had been condemned to die near Philadelphia, for a crime committed in the hope of concealing her shame from the world, and the day of execution was appointed. In the mean time, her brother used his utmost means to obtain her pardon from the governor. He had succeeded, and his horse foamed and bled as he spurred him homeward. But an unpropitious rain had swelled the streams; he was compelled to pace the bank with bursting brain, and gaze upon the rushing waters that threatened to blast his only hope! At the earliest moment that a ford was practicable, he dashed through, and arrived at the place of execution just in time to —see the last struggles of his sister! This was the fatal blow. He retired into the hills of Dauphin county—employed himself in making grindstones—was very exact in his accounts, but appeared frequently to be estranged; and one morning was found dead by a few of the neighbors, who had left him the evening previous, in good health.

New printing press. M. Helfarth, a printer at Erfurth, in Germany, has contrived a press capable of printing eight sheets at a time, and of throwing off seven thousand copies of each sheet in the space of twelve hours; which amount altogether, to no fewer than fifty-six thousand sheets printed on both sides. The machinery is put into motion by a single horse, and three men are able to supply the paper and remove it. Each sheet perfects itself.

[*Athenæum.*]

From the Kenhawa Spectator. A gentleman from Mason county, Va. has very obligingly furnished the following singular facts: On the 19th ult. four very large skeletons were found in a field which had for twenty-four years past been cultivated in corn. They were deposited in a mound apparently very ancient. The first was discovered by the owner of the field, having ploughed it up, which induced him to make a further examination, when three others were found. The bones are perfectly sound, and much larger than common, and more especially the skulls, which can be very easily slipped over the largest man's head. The upper jaw bone has one row of double-teeth all round, and the under jaw two teeth only on the left side, and no sockets whatever in the rest of the bone were provided by nature for more. Considerable quantities of broken crockery-ware, with buck horns and bones, bear's bones and muscle shells, &c. were found with the skeletons, and the whole buried in lime two feet deep.

It is hoped that the curiosity of the intelligent public may excite them to examine the skeletons, and furnish us with some interesting speculations on the subject.

Whaling. In the year 1689, a Mr. Paddock went from Cape Cod to Nantucket, to instruct the English how to whale in boats from the shore, which business continued good until the year 1760. In the term of 70 years, there was not one white man killed or drowned in pursuing the business, and in the spring of 1726, there were 86 whales caught at the latter place.

Nantucket Inq.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

HEALTH OF BALTIMORE. The following pleasing announcement of the disappearance of the malignant fever, in this city, was issued on Monday last:

Board of Health, Oct. 22.

The Board of Health have the pleasure of informing the public, that, owing to severe frosts in the nights of the 17th, 18th, 19th and 20th of the present month, the malignant fever, which existed during the last summer, has entirely disappeared. No death having occurred from it since Thursday, the 18th instant.

The establishment which was commenced at an early period, under the superintendence of the board of health, for the purpose of supplying the poor who removed from the infected district, F. P. with provisions, will be closed on Wednesday evening. This establishment, conducted with the utmost frugality, yet at the same time furnishing a sufficiency to all those provided, has fed nearly five hundred persons with wholesome provisions of various kinds.

The Board of Health feel justified in the assurance, that all those who removed from the Point, and are now residing in different parts of the city, may, with perfect safety, return to their homes.

Owing to the present favorable state of things, the daily reports will be discontinued.

In conclusion, the Board of Health congratulate the public on the disappearance of this fatal malady, and feel assured that their fellow citizens will join them in returning the most humble and sincere thanks to the *Giver of all Good*, who, in his kind Providence, has seen fit to remove this monster from our beloved city.

By order, WILLIAM D. HARRIS, Sec.

Notwithstanding the late prevalence of this fearful disease, we venture nothing in saying, that the city of Baltimore, at large, was much more healthy, during the last summer, than what have been hitherto considered as among the most healthy, and, certainly, as among the best cultivated and most improved parts of Pennsylvania, Maryland and Virginia; and there have also been fewer deaths, in proportion to the population, than in the districts of country alluded to.

The board of health at *Norfolk*, has also proclaimed the cessation of malignant fever, and assured the public "that they may renew their intercourse with the town, without the least danger." No case of the disease had occurred since the 13th inst. and the borough was considered as healthy on the 22nd.

FOREIGN NEWS. By arrivals at New York, London papers to the 15th of Sept. have been received. Whether there is to be peace or war between the Russians and the Turks is still undecided—all the facts belonging to this matter are briefly noticed in page 142. But it would seem that war was most likely to happen, from the circumstance that two Russian armies, in all nearly 300,000 men, are actually on the Turkish frontier, and another, 150,000 strong, was on foot to arrive upon them—and these are backed by some strong corps of Austrians. It is affirmed also, that, if war is declared against Turkey, an army of the latter, as a corps of observation, will be stationed on the *Rhine*—to act, perhaps, as a check upon France; the government of

which, as well as that of England, is believed to be well disposed to the "legitimate" Turk, or, more probably, jealous of the ambition of Russia. We shall not regret a quarrel between these loving friends and dear allies, who have designed to act in concert to enslave the civilized world.

Spain and Portugal are quietly proceeding to the organization of their newly acquired rights and liberties, and France is still. Several letters from England give doleful accounts of the state of the wheat crop—in consequence of a long season of wet and damp weather, it had very generally *grown in the ear*. This caused some rise in the price of flour at Baltimore—as high as six dollars per barrel was asked on Tuesday last—on Thursday, in consequence of later intelligence which came on from New-York by express, eight dollars were asked, which price it still nominally maintains; but we have not heard of any sales, and there is but a small quantity in market. Indeed, we apprehend that, from the low price of wheat last year, which checked its cultivation in the present, as well as from the short crops at the late harvest, we have not a great deal to spare, unless there is much of it far in the interior or in the western states. We are not satisfied, however, that the whole matter is any thing more than the acts of *speculators*. We have been oftentimes amused with such reports from England; but one of the passengers in the ship that brought the news and her owners, have made heavy purchases of flour at New-York and Philadelphia; at the latter, sales were made at seven dollars, and orders are said to have been received to purchase large quantities at eight. The passenger is stated to have left the ship, so that he was in New-York, *incog.* a whole day before she actually arrived, during which he drained the market.

See the *postscript*, page 144. Though we have not any definitive intelligence as to the determinations of Russia, the movements of that power indicate the resolution of Alexander to accomplish the scheme of Chatharine in regard to Turkey. He would hardly have marched such armies to the frontiers of that country without having made up his own resolution about their employment; and we cannot apprehend that he will suffer himself to be diverted from his purpose by Great Britain and France. But there is so much of *stock-jobbing* in England, and so great a disposition to indulge in the *marvellous* in France just now, that we do not know what faith to place on the accounts received through their papers.

PUBLIC DEBT, RECEIPTS AND EXPENDITURES. The editor of the "Franklin Gazette," in his paper of Saturday evening last, has published an article as a rejoinder to my remarks of the 13th inst. on the financial affairs of the United States. Mr. Norvell does not meet the points at issue, or speak to the facts that belong to the subject, as originally introduced or subsequently stated by me, in opposition to the matters advanced by him; so I shall not attempt to follow him in his general observations, feeling the power to shew him that he is mistaken in them, by the help of a few "obstinate figures." But there is one thing that must be previously attended to.

To justify himself of having placed *five* against *four*, and calling *both four*, as complained of by me, Mr. Norvell says—

"This imputed mistake consists in our having taken *five* years of revenue, from 1808 to 1812, both inclusive, as the basis of comparison with *four* years of revenue, from 1817 to 1820, both inclusive. We excluded the year 1821 from our account of revenue, because, as stated by Mr. Niles, it is a mere *estimate*, a matter of inference, and not of ascertained fact. In discarding that year, however, the argument of the Register suffered no disparagement; it was rather strengthened; for we thereby threw the odd year into the scale of Mr. Niles's "golden age of the republic." In other words, we demonstrated that there had been more public debt paid in *four* years from 1817 to 1820, inclusive, than there had been paid in *five* years, from 1808 to 1812, inclusive."

I have italicised the words—"the argument of the Register suffered no disparagement," because I believe that it did, if I know what were my own intentions. My purpose was to shew that, with the receipt of 58 millions of revenue, in *five* years anterior to the war, all the current expenses of government for *that* period had been defrayed, and the public debt reduced in the sum of nineteen millions;—and, that, with the receipt of 109 millions (nearly *twice as much*) in *five* years subsequent to the war, only twenty-one and a half millions of said debt had been paid in that time—meaning, as we believe every body else does when they speak of the public debt, those claims against the government or nation which stand adjusted on the books of the treasury, and are due upon certificates of stock issued, &c. Mr. Norvell excluded the year 1821 because it was a "mere estimate" (though made by secretary of the treasury himself), and, as he says, threw the odd year into our scale—"we demonstrated," adds he, "that there had been more public debt paid in *four* years from 1817 to 1820, inclusive, than there had been paid in *five* years, from 1808 to 1812, inclusive." Indeed!—and why not say the *receipts* had been nearly twice as large in the same period?—But this is the *first* time that Mr. N. has mentioned the word *five* at all—he called *both periods four*. And thus it was that the current expenses of government in five years of small revenue, were made to stand against those of *four* of large revenue, in a matter expressly calculated to shew what had been the comparative reduction of the public debt! Instead of the odd year being thrown into my scale, it was placed in the opposite one.

Mr. Norvell does not say any thing more about the "forty-nine millions" of the public debt which he told us had been "redeemed during the years 1817, 1818, 1819 and 1820;" perhaps because we shewed that the amount "redeemed" was only twenty-four millions; and he leaves his favorite period of *four* years and takes up *another*, so that we must meet him again, seeing that he will not meet us. He says—

"We will, in passing, and in corroboration of what we have advanced on the subject generally, only refer Mr. Niles to the 189th page of the 19th volume of his own Register, where he will find a passage in the president's message of the 14th of November, 1820, affording the following view of the public debt:

Public debt on the 30th Sept. 1815 \$119,635,558
Add amount of five per cent. stock subscribed to the bank of the United States, of Mississippi and other

stock, and balances due to states and individuals on account of the war,

39,077,491

\$158,713,049

Public debt on the 30th Sept. 1820, 91,993,883

Public debt paid, in *FIVE* YEARS from }
30th Sept. 1815, to 30th Sept. 1820 } \$66,719,166

It is true, that in the REGISTER, as stated, there is a message of the president which gives the items put down by Mr. Norvell—but what of that? It only presents to the people one side of the subject; and we think that the receipts at the treasury, THE TAXES PAID BY THEM during that period, should have been set forth at the same time to shew them the other side of it, as we shall exhibit the matter below. The president's purpose was to demonstrate that a large amount of money had been paid, and his association of items for *that* object was all right; but they only go to prove that a large amount of money had been received. As to the *Mississippi stock*, however, it is the first time that I ever saw it put down as a part of the public debt of the United States: it never was mentioned as such in the reports of the secretary of the treasury or those of the commissioners of the sinking fund, as I can find out, and I have referred to many of them. It is a peculiar obligation to pay a certain sum, without interest, as the monies are received from the sales of certain lands, the proceeds of which do not enter the treasury books as general credits, but pass specially to the account of *that* stock, according to the provisions of the act of 1814 for compromising the famous *Yazoo* business—and for this reason it is, that the secretary of the treasury in his annual reports, when he states the amount received for public lands, always says, "exclusive of those in the states of Mississippi and Alabama." It has nothing to do with the ordinary fiscal concerns of the nation—for if none of these certain lands are paid for, no part or portion of *that* stock can be redeemed:—such was the condition of the agreement, and we had much rather that it had not been introduced into the summary among "the balances due to states and individuals on account of the war," or as a *redemption of the public debt*.

The following will shew the *whole* case as it is—
Treasury, Dr.

(1) For receipts in the last quarter of 1815— $\frac{1}{4}$ of the whole year	12,383,213
(2) For $\frac{3}{4}$ of balance in the treasury 30th Dec. 1815	8,149,897
For receipts of 1816	36,743,574
ditto 1817	24,365,227
ditto 1818	26,095,200
ditto 1819	24,435,700
ditto first three quarters of 1820	16,819,637
	148,997,448
Amount received to pay "Mississippi stock" in the 5 years [estimated]	3,000,000
Total receipts.	\$151,997,448

(1) The whole receipts of 1815 amounted to 49,893,219—one fourth, or the last quarter of that year, is 12,383,213.

(2) The balance left in the treasury, by the operations of the year 1815, was estimated at 10,163,289—three fourths of this surplus is therefore chargeable to transactions subsequent to the 30th Sept. in that year.

Cr. By difference in amount of claims on the national treasury, as stated by the president	66,879,165
Divide by	5) 95,118,283
	19,023,656

In these five years the people paid in *taxes* to the government, the enormous amount of one hundred and fifty-one millions (except the balance in the treasury and the estimated proceeds of the sales of land to redeem the Mississippi stock), and the government paid of *their* debts less than sixty-seven millions, leaving ninety-five millions for the ordinary current expenses of those years, or *nineteen* millions for each and every one of them.

Now what does Mr. Norvell gain by his "change of position?" Nothing. He has only enabled me to corroborate my former declaration, as applicable to one period of time, by shewing also that it applies to another. I said, (page 99) that the *current expenses* of government for five years ending 31st Dec. 1821 would amount to nineteen millions a year; and we see clearly that those of the five years ending 30th Sept. 1820 have amounted to the same sum, annually—the latter thus establishing the accuracy of the former statement, and verifying what I wished to impress upon the minds of my readers, that the current expenses of government in the last five years, have been nearly *twice as much* as such expenses amounted to before the war—*more than twice as much* as they amounted to in the second term of Mr. Jefferson's administration, which I feel no hesitation in saying was the "golden age of this republic," though Mr. Norvell does not seem altogether pleased with its being called so.

It may be proper to add, too, that Mr. N. does not attempt to support the reasons which he set forth as causes why "the fiscal concerns of the nation were embarrassed," which I examined in page 99.

All the amounts put down are from official documents—there is no mystification in any of the statements, nor can they be explained away. The fact is abundantly proved, that the *ordinary expenses* of government now are and ever since the peace have been, of double the amount that they were before the war—in part, rightfully augmented, but in a greater part uselessly incurred or wontonly suffered, by those whose duty it is to take care of the public purse—the representatives of the people, in congress assembled, who have voted away the people's money with astonishing liberality, taking a goodly portion of it for themselves and their friends and relatives in office, or making *contracts* with government; and the operation of the whole matter, upon the morals of the republic, has been comparatively like that which happened when the money diffused by the *Persian* monarch was introduced into *Sparta*—for it banished at once the stern virtues of that people, and seemingly converted them into "their own worst enemies." It accomplished for Sparta what the arms of the "great king" never could have done.

PIRACY. We are happy to see it stated that the account given in our last, as to certain piracies and *murders* said to have been committed near Matanzas, is not true, at least to the extent related. But there are many additional cases of piracy and robbery given in the papers as having happened near the coasts of Cuba, by open boats, manned with 10 or 12 ruffians, and some larger vessels, which, no doubt, rendezvous about that island. In the cases

that are now mentioned we do not observe that they killed any one, but from their cutting and hacking of persons with their swords, it appears quite certain that they place no value on a man's life if it stands in the way of their inclinations, and they had burnt one of the vessels taken by them, suffering the crew to escape in the boat and reach the shore. The amount of their depredations is very extensive—out of one of these vessels they took 560 ounces of gold or as many doubloons.

The piratical vessel that robbed the Orleans on her passage from Philadelphia to New Orleans, of from 40 to 60,000 dollars worth of goods, or threw them overboard to that amount, was formerly the U. S. brig Prometheus, carrying 14 guns—her captain and officers French, the crew all blacks, except a few renegade Americans. Her spoiliations have been extensive, but we presume they are now stopped; for she anchored at the Five Islands about 25 days since, which being reported to the governor of St. Bartholomews, he requested the assistance of com. Chaytor, of the brig Independence, in the Buenos Ayrean service, who immediately granted it—and the result was that the piratical vessel was captured without resistance; all the crew, except two persons, having deserted her at the approach of the force sent against her.—The captain, called Du Bois could not be found.

The brig *Enterprise*, and schooner *Porpoise* have sailed in pursuit of pirates. We hope that they may disguise themselves as to appear like merchant vessels, and thus decoy the villains and relieve us of them, by the operation of the laws.

"LET US ALL START FAIR," as the parson said in the pulpit, when the cry of "a wreck" was heard in a church on the coast of Cornwall, in England.

Without pretending to be in the "secrets of the cabinet" as they and it are called, we have what appears to us to be good reasons to believe, that a heavy duty, tax, or excise will be recommended by the executive to congress, at its ensuing session, on distilled spirits and some other articles—and, at the same time, such a rise of the present duties, on articles of like kinds imported, as shall amount to nearly a prohibition of them.

In the present imperfect state of our intelligence on this subject we cannot have any fixed opinion about it, though inclined to believe that we shall highly approve of the plan when it is laid before the people. But the purpose now is, to make known our belief that such a plan is maturing,—with a *caveat*, however, that no one shall "pin his faith on our sleeve," but enquire and judge for himself, and act accordingly—for we do not *know* that such is the intention of the executive, and are even yet less certain of what congress will do on the occasion, if presented to them.

Mr. NILES: You oftentimes descant upon the universality of truth, and endeavor to shew us the beauties of consistency, for which every reflecting man that reads the REGISTER is, no doubt, much obliged to you. But have you not fallen into the very error which you yourself have so much condemned in others? In your last paper, you noticed some of the *wild* doings of the people of Ireland, on account of the king's visit, as things to be "laughed at"—pray tell us, honestly, whether any thing has happened at Dublin, on that extraordinary occasion, that was half so ridiculous as others that occurred in the eastern section of the United States, during Mr. Monroe's tour, in 1817—making due allowances for the different condition and circum-

stances of the people respectively? I think not—turn to the 12th volume of your own work, and you will find that an avenue through which Mr. M. had to pass, was strewed with roses*—that the little children were paraded in thousands to receive his blessing—that he breakfasted with that man and dined with this, and how he pleased the ladies by taking tea with them—how the people shouted and bawled until they were quite hoarse—that the degree of Doctor of Laws was conferred upon him—how he was every where followed with an immense crowd at his heels, and passed through triumphal arches—how eagles were let loose on his approach, guns fired, drums beat and music played—how he was beset by a *guard*, who thought it an honor to sniff the dust of his carriage wheels, and how that class of people, a little while before known by the name of “Blue lights,” addressed him in language, and cut capers before him, of all sorts and descriptions, too tedious to mention; and not much less extravagant than the acts of the Irish on the visit of their king. Indeed, sir, I think that you have discovered “a mote in your neighbor’s eye without perceiving the beam in your own eye.” It is true, you sometimes reprehended these things; but once ventured to express your belief that they might “do a great deal of good” in that instance. Why may not George’s visit to Ireland answer the same purposes for the good of *his* government? It appears that the king has been much attended by and shewn great courtesy to his Catholic subjects—what is there in this more absurd, if absurd at all, than the acts of the Hartford conventionists to Mr. Monroe, during his tour—were not *they* the head men in the chief follies that took place? Pray tell us now, sir, why the proceedings in Ireland are to be “laughed at,” and those at Boston &c. to be gravely approved? It appears to me that if the latter were right the former cannot be wrong—for both were founded on the principle of shewing respect to the executive power of the country, and, perhaps, to pave the way to preference and favor. Depend upon it, sir, sycophancy is not confined to Ireland—and the orange color there is not more objectionable than the *five-striped flag* was here. I am, sir, an Irishman by birth, a republican from principle, and, of my own choice,

YOUR FELLOW CITIZEN.

Brief remarks by the editor of the Register.

When a man is driven into a corner, the only way left is to bully or fight himself out of it, or submit to such conditions as the besieger imposes. My rule always was and always shall be, to confess a fault and atone for it, if possible, at the moment when I am convinced of the wrong, and, in the present case, I humbly acknowledge an error; for, on looking over the volume referred to, and taking into consideration the relative condition of the Irish compared with that of the people of Massachusetts and especially of Boston, which was called the “cradle of the revolution,” I am satisfied of mine own inconsistency—verily believing, that the people in the latter might have been as rightfully “laughed at” as the poor and ignorant, or rich and office-seeking, Irish, who have demanded attendance on their king, and, when he sneezed, cried out “God bless him.” Indeed, I have felt willing that

* This happened at several places—and yet many have ridiculed that part of the ceremony of the late coronation of the king of England, in which his “herb woman,” Miss Fellows, strewed flowers before him.

the whole account of the “president’s tour” should be stricken out of the REGISTER, except for this reason—that it may serve as a curious record to shew the inconsistency of some that abused him during the war and fawned upon him after the peace, when he was raised to power with *my* consent, but against *their* will. The clamor that was raised against “Monroe’s conscription” in that part of the union, wherein he was afterwards so much pestered with attentions and ceremonies, that, I am sure, he despised, though he could not avoid them without rudeness, cannot have been forgotten by him,—and he knew also, that what was called *his* plan for a classification of the militia, was much less severe than that which had been recommended by WASHINGTON, for the defence of his country, though bottomed upon it.* But our Boston friends never “do things by halves,”—witness their extravagant approbation which spoiled the *great* Edmund Kean, the stage-player—and their severe rejection of him when he, also, got upon his “high horse,” to meet them in their own way.

EMIGRATION TO THE WEST. The St. Louis “Register” says—“The advantages thereby resulting to this country [from emigration] were incalculable, inasmuch that, within a very few years, St. Louis, from being an inconsiderable and unnoticed place, has become one of the most flourishing towns west of the Allegany. But, as we have said in a former article of this paper, emigration has comparatively ceased, and the consequences are not lightly felt.”

☞ This result was predicted and to have been expected, from the nature of the things that have happened. Those whom Missouri seemed to wish chiefly to invite, will not go there—because their *people* can be much more profitably employed to the south—in Alabama, Florida, &c. and the population which she ought to have desired, now stops in Ohio, Indiana and Illinois—chiefly in the former. The free-laboring classes cannot, will not, settle in places where labor is considered degrading, or else remove from them as soon as they can. Witness the decrease of an effective population in many of the counties of Maryland, wherein labor is chiefly confined to the slaves, and the increase in two or three others, where freemen hold the plough.—This remark, we are indeed sorry to say, applies to every section of the United States. In every district or county where there has been a great increase of slaves, there has been a comparative decrease of the free white population. This is according to the principle of things, and deserves the most serious attention of those immediately concerned in its operation. We shall not say more on the subject, for it is one of a very delicate nature, and on which we never reflect without the most unpleasant sensations.

The “question” is settled, and let it rest in peace—we have only a reference to its impolicy in the citizens of Missouri. But the emigration west is not so powerful as it has been—the “rag system” and land speculations in that quarter of our country, have severely checked it. In some parts, however, the purgation is nearly complete—in others, it is even yet to be encountered.

CAPT. RIDGELY. There appears to be no small degree of excitement on account of the report that capt. Ridgely, of the Constellation frigate, has lent the flag of his country to convoy a ship from Callao, in Peru, laden with enemies to the patriots,

* See Weekly Register, vol. VII, page 294.

(among whom were the ex-vice king of Peru), and a treasure worth 3,600,000 dollars, and so prevented both from falling into the hands of the Chilians. We have a high opinion of captain Ridgely, and will not believe that he so far forgot his duty to his country, and that the frigate and the flag did not belong to himself, individually—until the story is much better vouched for than it is now. Let us wait.

LAUDABLE PROSECUTION. We copy the following from the National Intelligencer of last Tuesday, and only wish that the *principle* of it was extended to many high and important officers in the different departments of the government, who *default* us out of hundreds of thousands a year, as well as to these little depredators on the public purse. But—"one murder makes a villain; millions a hero."

We learn, by a letter from Maine, that Jacob Gove, of Lubec, in that state, who was prosecuted, at the instance of the secretary of war, for the crime of perjury, before the circuit court of the United States, holden for that judicial district, on the 8th inst. was found guilty of the charge alleged against him, and sentenced to confinement in prison for 60 days, to stand in the pillory one hour, and to pay a fine of 100 dollars and costs of prosecution. Gove was a pensioner under the revolutionary pension law; and the act of perjury was committed in taking the oath upon which he obtained his pension.

A bill of indictment was found against another pensioner, at the same term, on a like charge. He will take his trial in May next.

We understand that it is the intention of the secretary of war to institute prosecutions in all cases where attempts have been made to defraud the government under the pension laws.

ABOUT BANKS—AND A NATIONAL CURRENCY. The following is a copy of a letter addressed to the editor, by a gentleman high in the confidence of the state in which he resides, and was apparently designed for publication. We give it without remark, except to say, that our late silence about the bank of the United States must not be construed into a belief that it was *constitutionally* established, or that it has always been *honestly* conducted. Nay, we consider it as a machine that will soon *govern the government*—unless the people kick at their members of congress out of both houses that fall into the *system of borrowing money to pay current expenses*, as has been the case in the last two years, and, as we presume, must, in any event, ensue at the next session. Whether it is to end with that session or not, depends upon *private* motives that we cannot appreciate just now. And besides, our apprehension is that the president is latterly opposed to it.

But the bank, by the payment of the interest on the *people's* 5 per cent. stock, that forms a part of its capital, has already drawn from them several hundred thousand dollars more than has been received by way of dividend, to make up the losses occasioned by the silly or wretched men that originally managed it; and as the banks at Boston and other places, as well as individuals, are glad to lend money, on unexceptionable security, at 5 per cent. interest, it is agreed that the bank of the United States cannot be expected to divide more than *four per cent. per annum*, if Europe remains at peace, and things continue as they are—so we the people shall lose one per cent. a year, or *seventy thousand dollars per annum*, for our concern with that insti-

tution. We had better sell out at once, and finish a bad business without further sacrifice.

"SIR: I am glad to have observed, for some time past, that your aversion to the United States bank seems to have subsided in some measure—or, at least, by your observations you seem to have no partiality for banks and bankers. I have noticed your remarks upon this subject, and it has given me pleasure to see you and other public writers observing the effect of bank paper and other bills of credit upon the nation. It is a subject I have viewed with great concern for my country, since the adoption of the constitution. I commenced banker, under the authority of the state in which I live, in the year 1800, by receiving a charter and becoming incorporated with others, for the purpose of making paper money, in the shape of bank bills, (which I must always consider bills of credit). I marked the progress of this kind of currency and its effect to the year 1812, when war was declared, always fearing more evil than good results from it. The events of the French revolution upon this country, long prevented a sensible feeling of the bad effects of the bank paper currency; but as soon as our country was at war, which tested, in a great measure, the solidity of our government, the evil of state banks, at least, shewed itself, and fully convinced me that something was wrong in our system. We saw the state bank corporations stop payment and still retain the power of regulating the money currency of the country, (a power derived from the state governments), the credit of their bank bills sunk from 15 to 25 per cent. below money, and the general government under the necessity of borrowing from them such depreciated bills of credit, and pledging the credit of the whole nation, at a discount of from 10 to 20 per cent. below the credit of the bankrupt corporations, for the expenses of government in time of war. Such were the immense sacrifices made in consequence of the power of regulating the money currency of the country, being exercised by the state instead of the general government,—for this was the principal cause of that state of things. Now, although the constitution of the United States delegates to congress the power and right to regulate trade, to coin money, &c. &c. and prohibit the states from issuing bills of credit, &c. yet it does not seem to be fully understood that congress have the power of regulating the currency of the country. Indeed, congress cannot regulate the currency while the state governments create a currency by incorporating banks to issue bank bills, (which are bills of credit), and it is difficult for them to regulate trade unless they have the power to regulate the currency, that being the life of trade; both ought to be governed and regulated by the same authority. That country, whose money currency is kept at the highest rate of value, will have the greatest advantage in trade with other countries; the hand of labor is not injured by money being scarce—no interest of the country is injured but the speculator and monopolizer: it is true, the scarcity of money checks imports, which will not be considered as an evil by any sensible people, certainly not by the editor of the Register. It is not so important in what the money currency of the country consists, or that it should be at as high a rate of value as that of other countries. The regulation of trade and currency are inseparable, for all good effects to our country."

LAND OFFICE MONEY. In addition to those of the specie-paying banks of the large cities and towns

of the U. States, the bills of the following are received at Steubenville and Wooster, O. It may serve to shew the reputation of those institutions at home:—The bank of Steubenville, and the Farmers and Mechanics' bank of do.; banks of Mount Pleasant, Chillicothe, Lancaster, Marietta, Belmont, of St. Clairsville, and Western Reserve—all in Ohio; bank of Pittsburg and Monongahela, Pen. North Western, of Va. Geneva, of N. Y.

IMPORTANT DECISION. Oct. 13, 1821—Circuit court United States—Philadelphia.

Lonsdale vs. Brown. In this case judge Washington decided, after argument, and holding the case for some time under advisement, that a bill of exchange drawn in one state of the union, upon a person or persons of another state in the union, is a foreign bill of exchange.

MILITIA FINES. The *Franklin Repository* says: "It appears by a report made to congress during last session, that not one cent of militia fines, imposed for delinquencies in the late war, has ever been paid into the treasury of the United States by the marshal of Pennsylvania.

5,837 persons in Pennsylvania, were fined to the amount of \$243,609 41;

Of these fines, were remitted by governors Snyder and Findlay, \$26,156 49,

And, as to the balance of \$217,452 92, no part of it is accounted for, except \$3,671 30,

Collected by the present marshal Conrad.

Of this last sum, were appropriated to pay the expenses of a court martial in Chester county, \$3,407.

He charges as commission, \$183 56.

And the balance was in his hands, on the 1st of Jan. last, \$80 70.

John Smith, the former marshal, had made no return."

A NEW WORK. Proposals are issued at Charleston, for publishing by subscription, *Anecdotes of the Revolutionary war in America*, together with sketches of the characters of the men the most distinguished in the southern states, by their civil and military services," by an "Officer of the Partizan Legion."

"To preserve from oblivion the recollection of many brilliant achievements, which, from the encroachments of time perpetually removing, not only the actors by whom they were performed, but witnesses also, who could give testimony of their existence, is the cherished ambition of the author. In detailing acts of courage and magnanimity that honor the patriots of the revolution, it is equally his hope, to excite in the bosoms of his youthful countrymen, the desire to emulate them. The spontaneous impulse of every heart is his best auxiliary. How grateful to the youth of ambition must it ever be, to read the encomiums bestowed on his ancestors—to dwell on the merits of those great men who had wisdom to plan the deliverance of the United States from a foreign yoke—resolution to attempt it,—and valor to insure their independence. In contemplating the dignified firmness of their characters, the extent of their sufferings, and the splendor of the actions achieved in the accomplishment of their momentous undertaking, the heart expands with gratitude—the soul with admiration. Liberty so honorably gained, appears with more fascinating charms, is cherished with imperishable affections, and the bosom of patriotism feels with full force, how sacred the obligation, to trans-

mit such a blessing, with undiminished lustre, to posterity.

It can only be necessary to present to view, the characters, whose illustrious actions he would celebrate:

"And by their light
"Shall every valiant youth, with ardor move,
"To do brave acts,"—Shakspeare.

It is expected that the work will make between 5 and 600 pages 8vo—and its price in boards will be \$3. The editor of the REGISTER will receive orders for copies. The name of the author is given to him, with the assurance of a much respected friend, that "he is a scholar, a man of fine taste, and a genuine patriot, who has not only drawn his sword to obtain the independence of his country, but was ready to defend that independence when assailed by the same foe thirty-six years afterwards."

NATIONAL INDUSTRY. From the *New-York Journal*. MATHEW CAREY, esq. of Philadelphia, has issued proposals for publishing by subscription, a collection of "*Essays on the necessity, duty, and advantages of affording adequate legislative protection to domestic manufactures, and on the pernicious consequences of the contrary policy, as exemplified in Spain, Portugal, the United States, &c.*" These essays contain a great mass of statistical information and facts relating to political economy and the policy of nations; and a collection of the maxims of the greatest statesmen that have appeared on the political theatre of Europe, and in our own country. They relate to agriculture, manufactures, and commerce, and will be found well worthy the attention of those who desire information upon these subjects. The author has devoted much time to the great questions he discusses, and has evinced an ardent attachment to the cause of American manufactures, in the confident belief that in their establishment on a permanent basis, the safety, prosperity, and real independence of the nation are intimately connected. The work will contain above 500 pages, and be furnished to subscribers at \$5 bound, and \$2.50 in boards.

Subscriptions received at this office.

WOOL. &c. The demand for this article must continue to increase. The domestic supply is not equal to the present wants of the manufacturers; and more factories will undoubtedly be established in the country every year—as, under present encouragements, the business is profitable, although prosecuted with too little capital, and by those who have yet much to learn.

Farmers will, therefore, and certainly, be well rewarded for the care which they may hereafter pay to flocks of sheep. To all those who live remote from the Atlantic cities, this description of stock will be particularly profitable. Much of the produce of their lands will not, now, bear the expense of transporting it to the sea-board. But wool, besides finding a market in most of these states, may also be sent to Europe, with advantage to the grower and shipper.

And, as an important step towards the general introduction of the better kinds of sheep in every part of this vast country, having reference both to the carcase and fleece of the animal, I beg leave to suggest, that it might be found very useful to solicit annual authenticated reports from the several states of this union, setting forth the average weight of wool per head, of different breeds, together with the average weight and disposition to fat in the shorn animals. This might be readily accom-

plished, through the instrumentality of county and state agricultural societies; and it would soon cause inferior flocks to give place to better animals.

My own flock, of 51 sheep, averaged, at the last annual shear, nearly \$1bs each of wool in the dirt; but I do not mention this, even as a part of an individual report, for I called no one to witness the operation, nor did I think of weighing my sheep at that time; next year, however, I will do both in form, and send a sample of the wool, with the report, for publication, in the hope that many persons will do so likewise, and thus pave the way to an important national object—the introduction of better sheep into every part of this country.

RICHARD K. MEADE.

Frederick county, Virginia,

Affairs in Florida.

It is not at all our intention to enter into a discussion of the right of certain proceedings in Florida—but it is necessary that the facts belonging to them should be registered. We have already given an account of the proceedings at Pensacola, as stated by different parties to them—and from the following it appears, that similar doings have been had at St. Augustine.

From the Gazette, published at St. Augustine, October 6—We understand that gov. Worthington* after his arrival here, had written to the Spanish *escrivano* to deliver over the papers; and had appointed Edmund Law, esq. as *alcalde*. The delivery was refused for reasons given by the *escrivano*. It was then determined to issue a special commission to three Americans, and take all the withheld archives and documents from the *escrivano*, ex-governor, and from every one else in whose hands they might be found—*peaceably if practicable, but forcibly if necessary*. We further understand, that Mr. Worthington, under the 7th article of the treaty, considered col. Copinger, the late governor, and any other Spanish officers remaining here, since the cession, as private individuals, and, therefore, entered into no correspondence particularly with him on the subject; but, as his ultimatum, wrote plainly and forcibly to the *escrivano*, Mr. Entralgo, to give the papers up peaceably. The delivery was not offered; and it was plainly seen that nothing but justifiable coercion would succeed. A commission was then made out by the governor to John R. Bell, James G. Forbes, and Edmund Law, esqs. with Messrs. John G. Bird and Antelm Gay, as clerks.

On the 2d inst. by mail, a letter was received from gen. Jackson, dated the 1st ult. ordering the taking into possession of the papers in question immediately. Accordingly, after a consultation between the governor and col. Eustis, within a few hours after its receipt, the aforesaid commissioners and clerks, attended simply by Mr. Hanham, the high sheriff, entered the *escrivano's* office, and, in his presence, peaceably took charge of five boxes of papers; they then went to the ex-governor's, when, after having been admitted into the house, they opened his office, by the sheriff's kicking his foot against the door, and took quiet charge of six more boxes of papers, which are now in American custody, and undergoing examination, so that all public papers may be separated from any that may be private, which will instantly be given to the proper owners.

The Spanish officers behaved very well on the occasion, and, of course, protested most loudly against the whole proceeding; and, we are proud to say, that the commissioners, and the officers with them, executed the affair in the completest and most unexceptionable manner.

The governor has appointed three secretaries, versed in the English and Spanish languages, to separate and list the papers taken under the view of the commissioners; and the ex governor and the *escrivano* will be invited to attend the whole investigation—which, when completed, we hope to be enabled to lay fully before the public, who will till then, suspend their opinion on this delicate and interesting affair.

GEN. JACKSON'S COMMISSION.

"JAMES MONROE, president of the United States of America, to all whom these presents shall come, greeting: Whereas, the congress of the United States, by an act passed on the third day of the present month, did provide, that, until the end of the first session of the next congress, unless provision be sooner made, for the temporary government of the territories of East and West Florida, ceded by Spain to the United States, by the treaty between the said parties, concluded at Washington, on the 22d day of February, 1819, all the military, civil, and judicial powers, exercised by the officers of the existing government of the same, shall be vested in such persons as the president of the United States shall direct; for maintaining the inhabitants of said territories in the free enjoyment of their liberty, property and religion: now know ye, that reposing special trust and confidence in the integrity, patriotism, and abilities of major general ANDREW JACKSON, I do, in virtue of the above recited act, appoint him to exercise within the said ceded territories, under such circumstances as have been or may hereafter be prescribed to him, by my instructions, and by law, *all the powers and authorities heretofore exercised by the governor, and captain general, and intendant of Cuba, and by the governors of East and West Florida, within the said provinces respectively*; and do authorize and empower him, the said Andrew Jackson, to execute and fulfil the duties of the present appointment, according to law; and to hold the same, with all its powers and privileges, until the end of the next session of congress, unless provision be sooner made, for the government of the said territories, so ceded by Spain to the United States: provided, however, and it is the true intent and meaning of these presents, that the said Andrew Jackson, or any person acting under him, or in the said territories, shall have no power or authority to lay or collect any new or additional taxes, or to grant or to confirm to any person or persons whomsoever, any title or claims to land, within the same.

In testimony whereof, I have caused these letters to be made patent, and the seal of the United States to be hereunto affixed. Given under my hand at the city of Washington, the 10th day of March, A. D. 1821, and of the independence of the United States of America, the forty-fifth.

JAMES MONROE.

By the president:

JOHN QUINCY ADAMS."

One remark only—It appears to us that the delivery of the provinces of the East and West Florida could not be considered as complete, without the delivery also, of all the papers of a public nature that belonged to them; and why the governors attempted to withhold them, we cannot ima-

* Secretary of East Florida—acting as governor.

gine, except for purposes of private profit and unfair speculation.

Pensacola, Sept. 22. Before Mr. Mitchell pronounced the opinion of the court on the question of jurisdiction, (in the case of the heirs of Vidal vs. John Innerarity,) governor Jackson made several remarks worthy of himself, and which deserve to be recorded; but the following is so perfectly characteristic, that we should be inexcusable in withholding it from our readers: He said, "I am clothed with powers that no one under a republic ought to possess, and which I trust will never again be given to any man—nothing will afford me more happiness than to learn that congress, in its wisdom, shall have distributed them properly, and in such manner as is consonant to our earliest and dearest impressions. Yet, as I hold these powers by the authority of an act of congress, and commissions from the president of the U. States, it therefore becomes my imperious duty to discharge the sacred trust reposed in me, according to my best abilities; even though the proper exercise of the powers given, might involve me in heavy personal responsibilities. It has been my fortune to be thus circumstanced on other occasions, in my various relationships as a public servant, yet, I never have, and never will, shrink from the discharge of my public duties from any apprehension of personal responsibility." [Floridian.]

PROCLAMATION,

By major general Andrew Jackson, governor of the provinces of the Floridas, exercising the powers of the captain general and of the intendant of the Island of Cuba, over the said provinces, and of the governors of said provinces respectively:

WHEREAS, by the seventh article of the treaty concluded between the United States and Spain, on the 22d day of February, 1819, and duly ratified, it was stipulated that the "officers and troops of his Catholic majesty in the territories hereby ceded to the United States, shall be *withdrawn*, and possession of the places occupied by them, shall be given within six months after the ratification of the treaty, or sooner if possible." And whereas, it has this day been made known to me, that the following officers of his Catholic majesty, to wit: Marcos de Villiers, Bernardo Prieto, Louis Gayarre, Cívilo Lesassier, Arnaldo Guillard, Carlos de Villiers, Pedro de Vegas and Mariana Latady, and who, according to the said seventh article, ought to have withdrawn from the said ceded territory with the troops of his Catholic majesty, have, without the permission of the existing authorities, contrary to the said seventh article, remained in this city and its vicinity; and whereas, it has been made known to me, that the said officers, acting in a distinct body, independent of, and disowning even a temporary allegiance to the government of the United States, as existing in the Floridas, have been engaged in stirring up disaffection thereto, and in sowing discontent in the minds of the good people of this said province, and whereas it appears that they are the authors of the following false, scandalous, and indecent publication:*

"In speaking of colonel Callava's appearance before general Jackson, H. B. ought to have stated,

that none of the interrogatories and highly offensive accusations of the general, were faithfully interpreted to col. Callava, any more than the replies of the latter to the former. It was, therefore, out of the power of our chief, not knowing what was said to him, to make the auditory understand, how innocent he was of the foul charges with which his unsullied honor was endeavored to be stained.—Such, in sum, are the observations we had to make on the statement of H. B. and we hope that he and the public will be convinced that we acted from no principle of pusillanimity; that, if, on the one hand, we shuddered at the violent proceedings exercised against our superior, we knew also what was due to a government which is on the most friendly footing with our own. We are, &c.

THE SPANISH OFFICERS

Resident in this place."

And whereas the said publication is calculated to excite resistance to the existing government of the Floridas, and to disturb the harmony, peace and good order of the same, as well as to weaken the allegiance enjoined by my proclamation, heretofore published, and entirely incompatible with any privileges which could have been extended to the said officers, even if permission had been expressly given them to remain in the said province, and, under existing circumstances, a gross abuse of the lenity and indulgence heretofore extended to them.

This is, therefore, to make known to the said officers, to withdraw themselves, as they ought heretofore to have done, from the Floridas, agreeably to the said seventh article, on or before the third day of October next; after which day, if they, or any of them, shall be found within the Floridas, all officers, civil and military, are hereby required to arrest and secure them, so that they may be brought before me, to be dealt with according to law, for the contempt and disobedience of this, my proclamation.

Given at Pensacola, this 29th day of September, one thousand eight hundred and twenty-one, and of the independence of the United States, the forty-sixth.

ANDREW JACKSON,

Governor of the Floridas, &c.

By the governor,

GEO. WALTON, Secretary of West Florida.

The Floridian, of the 29th Sept. contains a long statement, signed by Dr. Bronaugh, as to what did take place on the recovery of the papers from col. Callava; and, in several important respects, impeaches the accuracy of the colonel's statement. It is too long, and was received at too late an hour, for insertion this week, but we intend to give it a place in our next.

Penitentiary System.

REPORT ON THE PENITENTIARY.

In the senate of Pennsylvania, January 27, 1821.

Mr. Raguet, from the committee on the penitentiary system, made report as follows, viz:

The committee to whom was referred, on the 9th of December, so much of the message of the late governor, as relates to the penitentiary system, in the Philadelphia and Pittsburg prisons, report as follows:

In the investigation of the matters referred to your committee, it appeared to them advisable to co-operate with the committee appointed upon the same subjects, by the house of representatives, in order that access might be had by both to a greater mass of information, and that, by mutual attention to each other's views, such measures might be sug-

*This is a part of their answer to a piece published by H. Bigelow, esq. in which they seize the opportunity to attack governor Jackson. The report, that he is about to resign his office, is unfounded, though it appears he intended to take his family to Tennessee, from which he would return as soon as possible. Ep. Rec.

gested as would be likely to meet with the support of all. The result of these consultations has been a determination to recommend to the legislature, an alteration in the present mode of punishing convicts, and appropriations adequate to the construction of a new state prison, within the city or county of Philadelphia, and to the completion of that which has already been partially finished at Pittsburg.

The reasons which have led your committee to believe that all these measures are absolutely necessary, to be adopted, *during the present session of the legislature*, will be found in the following brief history of the penitentiary system in our state, with which it is necessary to be acquainted, in order to form a correct opinion as to their expediency.

The penitentiary in Philadelphia, situate at the corner of Walnut and Sixth-streets, was built nearly fifty years ago, at a time when convicts were punished, by employment in the public streets of the city, as scavengers, by whipping at the post, and by exposure in the pillory and stocks. On the 5th of April, 1790, a law was passed, entitled "An act to reform the penal laws of the state," the preamble to which recited, that the laws enacted for the punishment of criminals "have in some degree failed of success, from the exposure of offenders employed at hard labor, to public view, and from the communication with each other not being sufficiently restrained, within the places of confinement—and it is hoped that the addition of *unremitted solitude* to laborious employment, as far as it can be effected, will contribute as much to reform as deter." By this act the public exposure of the convicts was abolished, and a suitable number of cells was directed to be constructed in the yard of the penitentiary, "each whereof to be *six feet* in width, *eight feet* in length, and *nine feet* in height, and to be appropriated to the solitary confinement of the more hardened and atrocious offenders." Towards the construction of these cells, the sum of five hundred pounds was appropriated by the same act, and adequate powers were given to the inspectors of the prison, to manage its concerns, and to provide the means necessary for keeping the convicts employed at hard labor.

During the infancy of this institution, it appears to have answered the object intended,—but the number of convicts, in the course of ten or twelve years, becoming too great for the means of accommodation, application was made to the legislature for relief. On the 2d of April, 1803, an act was passed, entitled "An act to direct the sale of certain unimproved city lots, the property of this commonwealth, in the city of Philadelphia, and to appropriate the proceeds thereof towards the erection of a building for the purpose of more completely carrying into effect the penal laws of this state." In the preamble to this act it is stated, that "the public prison of Philadelphia is found to be too small for accommodating the convicts, which are sent to that place from different parts of the state, and the persons whom it may be necessary to imprison for offences committed in the city and county of Philadelphia." By this act, all the right, title, claim and interest of the commonwealth, in the vacant lots, the property of this commonwealth, in the city of Philadelphia, and unimproved by the state, "were to be transferred to the inspectors of the prison, to be by them sold or otherwise appropriated, and at such times, as to them might appear most eligible, the proceeds whereof to be applied to the building of a new pri-

son, for the use of the city and county of Philadelphia." The act further provides, "that in consideration of the said lots being granted for the purposes aforesaid, the commonwealth reserves the right to the several counties within the same, to send their convicts to the present prison of the city and county of Philadelphia, agreeably to the provisions set forth in the penal laws of this commonwealth."

In pursuance of the provisions of this act, the inspectors of the prison made sale of city lots to an amount which, with some subsequent appropriations in money, made by the state, equalled about one hundred and five thousand dollars, and proceeded to the building of a new prison, situate on Arch-street at the corner of Broad-street. The funds not proving adequate to the completion of the same, it has remained to this day in an unfinished state, and has never been occupied in any other way, than as a debtors apartment. The plan upon which it is constructed, renders it wholly unfit for a state prison, and even were it entirely finished, it never could be occupied but as a common county gaol for the confinement of untried prisoners, vagrants and offenders convicted of petty offences.

The importance and necessity of having one or more prisons, constructed upon the plan of *solitary confinement*, becoming every year more evident to the legislature, an act was passed on the 3d day of March, 1818, authorizing the inspectors of the prison, with the consent of a majority of the county commissioners, and the constituted authorities of the city of Philadelphia, of the Northern Liberties and Southwark, or any two of the said corporations, the city councils being one, to make sale of the Walnut-street prison and the lot upon which it is erected, and to apply the proceeds thereof to the erection of a new prison for the use of the city and county of Philadelphia, to be constructed on the plan of solitary confinement. By the same act, the inspectors were directed, as soon as a sale of the prison should be effected, to remove the prisoners confined therein, to the Arch-street prison, to be there confined until duly discharged, or removed to such other penitentiary or prison, as should be erected for their reception and safe keeping.—The provisions of this act were never carried into effect. The situation of the Arch-street prison was never such as to have afforded secure accommodations for so many convicts as were in the Walnut-street prison, and no advantageous sale of the latter could be effected without delivering immediate possession.

It appears from the foregoing statement, that the course which has been pursued for many years by the legislature, has been one of temporary expedients, which has resulted in the complete subversion of the penitentiary system, and the sinking of a very considerable capital in useless buildings. It is hoped that the impolicy of a longer adherence to partial alleviations, will be manifest, and that the enlightened course of policy, commenced by the legislature of 1817-18, will be persevered in. By the act last quoted, an appropriation of \$60,000, payable in four equal annual instalments, was made by that body, towards the construction of a *state prison*, in the vicinity of Pittsburg, upon the plan of solitary confinement, to contain 200 cells. Commissioners to carry this object into effect, have been appointed, and the work has now been for some time in progress.—During the present session of the legislature, an application has been made for an additional appropriation of a like sum, in order to add a second

story to the building, and thereby to double the number of the cells. The importance of this building, renders its *early completion*, upon an extended scale, exceedingly desirable, and your committee recommend to the legislature, to grant the appropriation, payable in such instalments as will enable the commissioners to complete the work *without delay*. That economy must always be misjudged, which, for the sake of avoiding an immediate advance of money, subjects the community to evils, an hundred fold greater than the benefits to be derived from procrastination.

The state prison at Pittsburg, when completed, will afford ample accommodations for those convicts who shall be sentenced to the punishment of solitary confinement for one year and upwards, in the western counties, but will be of no avail to the eastern counties, in which most of the convictions take place. The expenses of transporting a prisoner to the penitentiary, from a distant county, as appears by the late report of the auditor general, the amount of which is drawn from the state treasury, are in some cases, *two or three hundred dollars*; which is equal to the whole expense of supporting a convict for two or three years. Such a charge would be an improper burden upon the state, and a positive loss to the public; and when it is recollected that the increase of crime will, in all probability, attend an increase of population, the necessity of an additional state prison, in the city of Philadelphia or its vicinity, will be strikingly manifest. This object, so desirable and important, in the opinion of your committee, can be accomplished without any immediate, and probably without any ultimate grant of money; if the plan suggested by the inspectors, and which will be found in the annexed communication, made by their president, be adopted.

The actual condition of the penitentiary at Philadelphia, is of such a nature, as to demand the immediate attention of the legislature, and to excite the regret of all who are actuated by a regard for the temporal as well as eternal welfare of those who are immured within its walls. In the course of the last winter or spring, an insurrection broke out amongst the convicts, which threatened the destruction of the lives of the jailors, and the escape of all who were confined, and was only quelled by the efforts of a large body of armed citizens, who assembled at the ringing of the alarm bell, after the discharge of a number of muskets, by which one man was killed, and several were wounded.—Since that period, a scene of discontent has constantly been exhibited, and a second revolt has been perpetually apprehended. The following well drawn, but distressing portrait of the once celebrated penitentiary of Pennsylvania, has been furnished by order of the board of inspectors, in answer to a letter addressed to them by the committee of the house of representatives, and as it expresses in detail the awful situation of that institution, in language more impressive than your committee could present, it has been deemed expedient to give it entire.

Philadelphia, January 8th, 1821.

GENTLEMEN—The board of inspectors of the prison of the city and county of Philadelphia, respectfully submit the following remarks, in reply to the letter addressed by your late chairman, William Wilkins, esq. to this board, on the penitentiary system.

It seems to be generally admitted that the mode at present in use in the penitentiary, does not reform the prisoner. It was intended to be a school

of reformation, but it is now a school of vice. It cannot be otherwise where so many depraved beings are crowded together, without the means of classification or of adequate employment. There were in confinement, on the first instant, four hundred and twenty-four men, and forty women, convicts. For want of room to separate them, the young associate with the old offenders, the petty thief becomes the pupil of the highway robber; the beardless boy listens with delight to the well told tale of daring exploits and hair breadth escapes of hoary-headed villainy, and from the experience of age derives instruction, which fits him to be a pest and terror to society. A community of interest and design is excited among them, and instead of reformation, ruin is the general result.

This is a short but melancholy picture; it is but faintly drawn, but it is sufficiently strong to excite attention in every benevolent mind. The grand juries of our district have, for years past, presented to the public a similar portrait of our once boasted penitentiary, and the late executive has very judiciously, directed the attention of the legislature of the state to the subject.

With due respect for his opinion, the undersigned respectfully say, that the remedy proposed by him is not adequate or efficient.

The new prison on Arch-street, was not built for a convict apartment, nor so designed originally by the law, authorizing its erection—it is not calculated for solitary confinement, and to attempt to engraft such a system upon this building would be expensive, and in the end prove abortive.

The design of the penal code of Pennsylvania, was the reformation of the criminal. Solitary confinement, as far as practicable, and hard labor, were intended, and would no doubt have produced salutary effects, if the system had been rigidly enforced. But this system was never carried into complete effect. The prison-house in this city, in which this humane effort was first put into operation, was not properly constructed for such a system. It is a common, well built county prison, but never designed or adapted for solitary confinement. It is nearly fifty years since its corner stone was laid, long before the genius of humanity had erased from our statute books those sanguinary edicts which had for so many years stained their pages. Still, however, very many beneficial results flowed from the system in the first few years succeeding its adoption.

The prison was well managed. Industry was encouraged among the prisoners. Employment was abundant, and in consequence of the number of criminals being small, classification to a certain degree was observed. The consequence was, that the internal part of the building appeared to a visitor, rather like a well regulated manufactory than a prison. Instances of reformation in the early period of this system, occurred—and among all the prisoners, order and good discipline were maintained.

Hence Pennsylvania obtained a name among her sister states as well as in Europe, for her mild penal code, and her well regulated penitentiary.

But this fame was short lived. The state has not kept pace with the increase of her population, and its consequent increased depravity: she has continued for thirty years past to send hundreds to a prison, which at the first, as it respects that part of it appropriated to convicts, was not fitted for the solitary confinement of fifty. With the rapid increase of prisoners there has, within a few years past, owing to the effects of the late war

and the difficulties of the times, been a considerable increase in the depravity and high daring of the character of our prisoners, to all which may be added the want of sufficient employment.

The use, in modern times, of machinery, has deprived us of some branches of employment, once very profitable, particularly making cut nails. The stagnation of business particularly in building has been seriously felt by our institution in the business of marble sawing; hence a great proportion of our convicts are idle, thereby becoming every year more expensive to the counties, and more difficult to manage and subdue.

There is, now, therefore, no solitary confinement in force, except for a few hardened offenders who have violated the rules of the prison, or have been sentenced by law to the cells for a portion of their time. The great penitentiary system of Pennsylvania is not now in operation, and cannot be without the erection of a new prison in this part of the state, on the same principle as that constructed at Pittsburgh, viz: solitary confinement. This system appears to be the grand efficient remedy for the evils under which we labor. To resort to capital punishment appears to us would be unwise, and highly injurious to the morals and security of society—because experience has proved that capital punishments do not deter from the commission of, or lessen the number of crimes. Because, where they do exist, it is difficult to convict offenders, and many escape altogether, and therefore in England, at this day, forgeries abound, because few convictions take place. Even in Pennsylvania, the cases are numerous of conviction for murder of *second* degree, which every legal mind would decide, should have been for murder of the *first*. Jurors in general, are opposed to the shedding of blood, and will not, if they can avoid it, find a man guilty of an offence where the penalty is death. Added to all this, if capital punishments are resorted to, we shall again see exhibited, though in a more awful degree, murder and robbery, and murder and burglary conjoined, because as death is but the penalty for both, it will be to the interest of the burglar or robber to destroy the witnesses and accusers.

The effects of a pure solitary system have never yet been exhibited in Pennsylvania. Enough has been seen, however, to justify the belief, that its effects will be to reform entirely, or to deter from the commission of a second offence within the jurisdiction of that state where such a system exists. As man is a social being, whose rights and comforts are protected and cherished by the laws of society, it would seem but reasonable, when he violates those laws, that he should suffer in that point in which he will feel, most keenly, the loss of social enjoyment. To be shut up in a cell for days, weeks, months, and years, alone; to be deprived of converse with a fellow being; to have no friendly voice to minister consolation; no friendly bosom on which to lean, or into which to pour our sorrows and complaints; but, on the contrary, to count the tedious hours as they pass, a prey to the corrodings of conscience and the pangs of guilt, is almost to become the victim of despair. To a guilty mind, reflection and self-examination are painful, but frequently prove salutary. The young offender cannot become more expert in crime, while shut up in his cell, because he will want an instructor; and if he is not reformed, he will not be worse than when he entered. The old offender will be out of his clement; so unable to plot escapes or future mischief, that

he will gladly fly from a region where conviction produces so much misery.

Besides, on the principle of economy, this system recommends itself to your attention. Three years is now the usual sentence for grand larceny. Under the solitary system, one year will produce more and better effects. It costs ninety dollars per annum for the support of a prisoner, without work, on the lowest calculation.

Three years, at 90 dollars a year, is \$270 00

One year, at 90 dollars, 90 00

Gain on each prisoner, \$180 00

For higher offences, it is believed, the gain will be greater.

As it is our duty when we complain of an evil, and ask for a certain remedy, to suggest a mode of carrying this remedy into effect, we respectfully suggest the following plan:

The state to build a penitentiary in the city or county of Philadelphia, capable of holding two hundred and fifty prisoners, on the principle of solitary confinement, forthwith, by commissioners to be appointed in such manner as the legislature may direct. The state will then have two penitentiaries, one in the western and the other in the eastern extremity of the state, which should be regulated and governed under the supervision of the state, and in which prisoners, convicted of grand larceny, and all offences above this, should be confined, and none others. Let all others be confined in the county jails, in solitary confinement, as far as practicable. To provide funds for this work, we suggest that the county of Philadelphia should repay to the state the money furnished by the state from the sale of city lots, and from the public treasury, towards building the new prison in Arch street—and the state release all claim thereto, to the county of Philadelphia, the same to be used hereafter as a county prison. As this money cannot be obtained by the county of Philadelphia until the sale of the prison in Walnut street is effected, which cannot take place until the penitentiary is finished—it is submitted, that the state borrow the money as wanted, to be paid out of the fund abovementioned. It is believed that there are many valuable city lots, yet the property of the state, remaining unsold. These might be hunted up by the surveyor general, and sold by order of the state, and applied to this object; the balance, if any, to be paid out of the state treasury. If necessary, the state might charge the interest of the money to be borrowed, on the several counties, in proportion to their population, or the number of prisoners they may have in the penitentiary.

Any further information which the committee may deem desirable, will be cheerfully given by the board, on application.

By order of the board of inspectors of the prison of the city and county of Philadelphia.

PETER MIERCKEN, *President.*

Attest. THOMAS BRADFORD, JR., *Secretary.*

In addition to the information contained in the foregoing statement, the committee of each house has been furnished, by Dr. James Mease, of Philadelphia, with a series of excellent essays, written and published by him, upon the penitentiary system. The zeal of that gentleman in the cause of humanity, and the industry and ability displayed by him in collecting and arranging a mass of interesting and useful facts, connected with this subject, with no other view than to point out the necessity of a reform in a system, now fully proved to be inade-

quate to the end proposed, merit the thanks of the legislature, and your committee recommend the perusal of his treatise to all who are desirous of being informed upon this matter.

The alteration in the mode of punishing convicts, alluded to by your committee, is to direct that all crimes, now by law punishable by imprisonment at *hard labor*, shall hereafter be punishable by *solitary confinement*, by which is to be understood such an entire seclusion of convicts from society and from one another, as that during the period of their confinement, no one shall see or hear, or be seen or heard by any human being, except the jailor, the inspectors, or such other persons, as for highly urgent reasons, may be permitted to enter the walls of the prison. In addition to the advantages to result from this system, which are so well depicted in the letter of the inspectors, above adduced, another may be mentioned which will be attended with the most beneficial effects. It is, that convicts from not having seen or known one another in prison, will never be able, after their discharge, to recognize each other, and those who are inclined to pursue a course of reformation, will not be liable to be exposed and branded with infamy, as they now are, by those who have witnessed their degradation.

That this mode of punishment may be resorted to at once, it will be expedient that in each county jail in the state, apartments or cells should be immediately fitted up or constructed, sufficient to accommodate, upon the principle of solitary confinement, as many criminals as are likely to be confined during the period which must elapse before the completion of the state prisons. This number need not be very great, for, supposing the position as above advanced by the inspectors to be correct, as your committee believe it to be, that *one* year of solitary confinement will be more efficacious than *three* years at labor, in the society of others, the judges of the courts, by diminishing the period of confinement in that proportion, would eventually reduce the number of prisoners at any time confined, to *one third* of their present number. The legislature, indeed, if it thought it advisable, might establish those propositions, but if that were done, it would also be expedient to declare, that for all second offences, the punishment should be doubled, or else the duration of the confinement for petty crimes might be too short to render it efficacious. A board of three inspectors to serve without any compensation, as those of Philadelphia do, might be annually appointed by the judges of the court of quarter sessions in each county, to superintend the concerns of the prison, to see that the convicts are punished agreeably to the spirit of the law, and that they are not subjected to improper impositions. With regard to the *economy* of this measure, there can be no diversity of opinion. The revenue derived from the labor of convicts has never, even during the most prosperous times, been adequate to their support; and when it is recollected that employment diminishes, in a very great degree, the tediousness of confinement, and thus mitigates the punishment, it may be a question whether labor ought not to be abandoned altogether, except as an *indulgence* to penitent convicts, and as a relaxation from the *much more painful task* of being compelled to be idle.

By adopting the course here recommended relative to county prisons, a stop will at once be put to any further accumulation of convicts in the Philadelphia penitentiary from the country. The governor will be no longer obliged to pardon offend-

ers, as has often been the case, for the want of room to confine them, and the punishment of the law will be what it ought to be, *certain*. The commonwealth will be relieved from the payment of a considerable part of what is now annually expended for the conveyance of criminals, and by the time the state prison in Philadelphia is completed, the number of convicts in that city will be diminished below the number which can be lodged in the new building; so that accommodations can be afforded to all those in the eastern counties who may be sentenced to confinement therein.

With these views of the subject, your committee close their report, and recommend to the senate the adoption of the following resolution:

Resolved, That a committee be appointed with instructions to bring in a bill or bills, embracing the provisions recommended in this report.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

From London papers to the 5th September.

We have received such a severe reproof (see page 131) for our remarks about the doings in Ireland, on the visit of the king, that we shall let them pass without further notice. But, though almost "*deified*" in Dublin, he is severely attacked in London, where he is advertised as "*an elderly gentleman, stolen or strayed among a pack of savages.*" It may also be added, that the marquis of Londonderry, (*Castlereagh*), though much courted by many, was so much an object of popular vengeance that it was thought necessary, sometimes, to surround him with a guard.

The king left Dublin on the 5th of September, and was soon to proceed on a visit to his German dominions.

There is a long account of the progress of the queen's body to the place of its rest at Brunswick. It was every where received with the highest marks of respect. As the coffin was carried into the sepulchre, 100 young ladies, all dressed in white, strewed flowers before it.

When the mourners were all arranged in the vault, (says the account) the minister, whose name was J. W. G. Wolff, preacher at the Cathedral church, a mild and sensible-looking man, about sixty years of age, stood at the head of the coffin, and, in a voice tremulous with emotion, uttered a prayer in the German language, of which the following is a translation:—

"Transient is our life, perishable all fortune and glory of the earth! Thus, all-wise-God, thou hast ordained it! But in death are terminated all the hardships, troubles, and sufferings that attend the life of man in this state of imperfection. Not in this world, where we are strangers, where we live in a constant struggle with adversities and our own infirmities,—no, only in that to come, for which thou hast created our immortal spirit, do we find the desired felicity, and purer, untroubled, unperishable joys. Penetrated even in the inmost recesses of our hearts, by this solemn and consoling truth, we elevate, with pious devotion our hearts to thee, the Infinite One! in this sacred place, and at the coffin of a deceased, whom thy All-wise will once destined for a terrestrial throne; and now, after a rare change of destiny, hast called into the land of eternal peace. With hearts deeply affected, do we view the burying place of this descendant of a beloved and princely family. Thou, her benign Creator, didst adorn her with advantages of mind and body, and didst bestow upon her a

heart full of clemency and benignity. Thy providence placed her where she could and was resolved to do much good, to the honor of her high family, and for the weal of the country whose princess she was. Unsearchable, O Eternal! are thy ways! After a transient and troublesome life, she has now finished her earthly career, and her unanimated body returns to the vault where her ever memorable father, her brother, her relations are resting.

"Almighty God! With elevated hearts we glorify thy grace for all the benefits thou hast given to the deceased during her life, and we infinitely revere thy wisdom in the present termination of her severe trials; whereby, after thy most benign intention, she should be purified of human infirmities, and be prepared for a better life. Thanks to thee for the comfort thou hast richly granted her in her last hours; thanks for the great strength thou didst inspire her with, both in her life and in her last moments, to a patient and courageous endurance of her sufferings and grievances; thanks for the hopes strengthened in her soul, wherewith, full of desire and serenity and faith, she passed from a mortal to an immortal life. Now may her released soul enjoy the peaceful and blissful tranquility which this imperfect world cannot grant! and may thy grace, thou all just and most righteous Lord, recompense her in that state of perfection for what was but deficient here on earth. But to us, let her ever memorable remembrance be a moving and beneficial lesson, thus to believe, thus to hope, thus to live, that we may once courageously pass over to the life of just requital. And now, most gracious God, preserve likewise to us graciously the remaining most beloved members of our princely family, for our joy and for the welfare of our country, and attend their days with thy richest blessing! Grant our most pious wishes! Amen."

When the prayer was finished, and before the mourners left the vault, the hundred young ladies were admitted, and formed a large circle round the platform; they strewed flowers on the floor, and then having prepared some wreaths, arranged them in different forms on the coffin; they then knelt down, and uttered a short prayer, and retired amidst the tears and sobs of the company.

There have been great fluctuations in the British stocks—which are affected by every little rumor of war or peace.

Dublin, says an English journalist, has now to boast the presence, not merely of the richest subjects, but of the richest family, we may safely say, on the face of the earth!—that of the prince Esterhazy, ambassador of his majesty, the emperor of Austria, to the court of London. This great and affluent family, enjoys a revenue exceeding 500,000*l.* sterling per annum. The very dress in which this prince has visited the several courts of Europe, is valued at one million of pounds sterling!—his coat alone, at 200,000*l.* the hilt of his sword at 100,000*l.* We have the authority of Walter Scott, for saying, that every time the prince wears this costly dress, the loss in diamonds and pearls that fall from it may fairly be estimated at 100 or 200*l.* On the occasion of the coronation, we have it on the same authority, the princess was literally covered with diamonds: "she wore as many as if they had been Bristol stones." To describe the splendor of the equipages of prince Esterhazy, his numerous retinue, his grand establishment, his amazing and unbounded wealth, would tax credulity. The dignity and wealth of this powerful family, influence a de-

meanor remarkable only for its elegance and suavity. It is, we believe, Hungarian.

[How many wretched creatures toil and sweat, from sun-rise to sun-set, and then go supperless to bed, that Esterhazy may receive 500,000*l.* sterling a year!]

The following is the new scale of prices of commissions in the British army, as fixed by a recent order issued from the war office: *Cavalry*—Lieut. col. 6,175*l.*; major 4,575*l.*; captain, 3,225*l.*; lieutenant, 1,190*l.*; coronet, 840*l.* *Infantry*—Lieut. colonel, 4,500*l.*; major 3,200*l.*; captain, 1,800*l.*; lieutenant, 700*l.*; ensign, 450*l.*

It appears, from a parliamentary paper, that the sums disbursed by the excise of Scotland, as expenses of law proceedings before the courts of exchequer, session, and judiciary, for six years, ending 1820, amounted to 45,056*l.*; which is about 7,500*l.* a year, or 25*l.* a day. The sums paid to the solicitor of excise have been about 5,340*l.* annually, during these six years, out of which he has paid about 1,200*l.* annually to counsel. A Scotch editor very correctly remarks, "We have no doubt that the cheese-parings and candle ends which fall into the hands of this functionary, as dues of office, greatly exceed the gains of an American secretary of state!"

The report of the select committee of the house of commons, appointed to consider the several returns made to the orders of that house in 1819, 1820, and 1821, relative to the sums assessed, levied and expended, on account of the poor in England and Wales, has been printed. It states that the returns are nearly complete; that it appears that the expenditure has continued to increase from 1812 to 1820, the first period averaging 6,129,844*l.* the second 6,844,290*l.* and the third 7,430,662*l.*; but the annual abstract shows that this increase has not been progressive, year by year, throughout the whole period, and that it is now progressive.

In a parish in Devonshire no less than thirty persons (agriculturists) returned their tax papers to the collecting officer, stating that they were no longer in a condition to pay taxes, and that if the claim were enforced, they must go to prison. No distraining has yet taken place; the evil is becoming too extensive. We hear that in one of the wards in the city, something of the same kind has taken place.

Three hundred ejections, on different lands, were served in the county of Waterford since Christmas last, for non-payment of rents. *Lond. pap.*

The actual population of Ireland is supposed to exceed six millions and a half; its productive land has been computed to amount to 18,454,375 acres. There are, consequently, little more than two acres to each inhabitant; and yet the value of the exported surplus produce of each acre, one with another, appears to have amounted to about nine shillings.

Quakers' address. The following is the address of the society of Friends in Ireland, to the king, during his late visit to that country:

"To George the fourth, king of the united kingdom of Great Britain and Ireland, and the dominions thereunto belonging.

"May it please the king,—Thy dutiful and loyal subjects, the society of Friends in Ireland, commonly called Quakers, at their last yearly meeting, held in the city, anticipating thy visit to this country, authorized us to address thee on their behalf, on this memorable occasion. We would not do justice to our feelings did we not assure the king, that our society participates in the general joy caused by his presence. Although religiously restrained from

demonstrating those feelings by public marks of rejoicing, nevertheless we respectfully offer to the king a sincere and cordial welcome, and congratulate him upon his safe arrival upon our shores. We desire that thy visit may not only tend to thy own satisfaction and the joy of thy people, but that an event so auspicious may promote the improvement of Ireland and her inhabitants, and thus render an important and lasting advantage to the empire. We wish to avail ourselves of the present occasion to renew the declaration of our love and our allegiance to thee our king under thy illustrious house. We, as a religious society, have received many privileges; we are, therefore, bound, both by duty and by gratitude, to fidelity to thy royal person and government. We are thankful to the Sovereign Ruler of the Universe, that peace generally prevails; we pray that this blessing may continue, and spread wider and wider; and we desire for thee, O king, that thou mayest be enabled, under the influence of that grace which visits the hearts of all men, to rule in righteousness; and be an instrument in the Divine hand to promote that state wherein all nations may join in the holy anthem, "Glory to God in the highest, and on earth peace, good will to all men."

Parliamentary paper. "An account of the average price of wheat, per quarter, in England and Wales, from the 25th March, 1811, to the 25th of March, 1821:

	s.	d.
Year ending March, 1812,	97	10
1813,	128	8
1814,	98	0
1815,	70	6
1816,	61	10
1817,	87	4
1818,	90	7
1819,	82	9
1820,	69	5
1821,	62	5

Average of 10 years, 82s. 11d.

(Signed) WM. DOWNING."

TURKEY.

There is not yet any thing certain as to the relations between Russia and Turkey. Some of the accounts are warlike, and others pacific. On the one side it is said that Alexander had set out to head his army in person, and extinguish the Turkish power in Europe; and, on the other, it is stated that the Divan has accepted of the Russian ultimatum, and of course, that peace would be maintained. It is given minutely, and with the appearance of truth, that the Turkish acceptance of the Russian ultimatum, was not tendered to baron Stroganoff until two or three hours after the time limited—that then he positively refused to accept it, and demanded his passports, in a most peremptory manner—that they evaded the giving of a particular passport, which however the baron dispensed with, and embarked on board a vessel for Odessa; on this the Turkish government sent off couriers in all haste for St. Petersburg, to stop, if possible, the advance of the Russian armies into their territories. The belief, however, seems to be general, that the Turkish assent to the Russian ultimatum is not of that unqualified nature which the latter expected.

The government of the Ionian Islands, has issued two proclamations, denouncing the punishment of piracy against such Ionian vessels as should aid the Greeks against the Turks.

No important military event is mentioned as having recently taken place between the Turks and Greeks. A very extraordinary affair however is mentioned in the subsequent article:—

Vienna, Aug. 19.—The following are the circumstantial details of a very remarkable affair, which took place near the convent of Statina, between the Greeks and the Turks, to the great disadvantage of the latter:

The convent of Statina was inhabited by seven Greek monks. It is surrounded by a very high wall. Ninety-seven Greeks under the orders of a Servian captain, of their own choice, called Anastasi, had thrown themselves into this convent, where they were attacked on the 25th of July, by 1590 Turks, under the orders of a Bimbacha, (chief of 1000 men) to whom three Jews acted as guides.—The Greeks placed behind the battlements the most experienced marksmen, to whom the rest supplied muskets, loaded, without interruption. At first, the three Jews set fire to baskets of corn, which were placed near the wall, and the wind soon spread the flames into the court of the convent, and the convent being constructed of wood, was soon consumed. The Greeks, however, did not give up their resolution to defend themselves. In the wall of the convent, there was a small old door, and through that one of the monks escaped. The Turks, seeing this opening, penetrated by it into the court. The chief then assembled his followers in the church, and barricaded the door as much as possible—while they kept up an unceasing fire from the roof of the church, which was partly wrapped in flames—but those who remained in court, and who could not withdraw in time, were overpowered by numbers, and all put to the sword. The Bimbacha then summoned Anastasi to surrender, promising him pardon, which the latter rejected with disdain. At the same time a ball from the roof laid the Bimbacha dead on the spot. Immediately a Turk cut off his head, and carefully wrapt it in a piece of cloth, to show that he had fallen in battle.

Meanwhile, the flames, which enveloped by degrees the roof of the church, forced the Greeks to descend. The Turks penetrated into the church—they fought round the high altar, and the Greeks continued their fire with such effect, that the Turks demanded an armistice, which was only granted them on condition of immediately withdrawing.—The Turks lost 372 killed, and the Greeks 17 killed and 13 wounded. The seven monks were killed. The three Jews fell into the hands of the Greeks, who nailed them to the cross, after having torn the skin from their bodies, and exercised on them other barbarities.

The 80 triumphant Greeks, after having laid down their arms, passed the frontier of Bukovina, and were sent by an officer of the Austrian guard to Bovanice, where they safely arrived on the 28th of July.

From the Boston Daily Advertiser.

The following proclamation, addressed by the Messenian senate at Kalamata, to the citizens of the United States, has been sent in the original modern Greek and in a French translation, to a gentleman in this town, with a request to have it published and circulated in this country. The letter in which the proclamation was forwarded contains the following remarks:

"Humanity is expecting its revival from the new world. But, however your example may suffice to others, we, in our present straits, need also your aid. How glorious will it be to your country to co-operate in the work of liberation of the Greeks, in which the other powers have remained insensible to the voice of justice, piety and humanity! The glory alone of such a deed would be an

ample reward. But the Greeks have never shown themselves ungrateful, or wanting in the duty of acknowledgment.—And, as they formerly crowned the friendly cities with crowns of gold, and honored them with precedence at the assemblies and games, so they will again honor and crown their friends and allies.”

This letter is subscribed by P. Epites ‘deputy of the Grecian generals,’ and by A. Koray, A. Bogorides and N. Pikolo. The letter is in the hand writing of Koray, and is written from Paris. The proclamation is as follows.

Citizens of the United States of America.

In taking the resolution to live and die for liberty, we feel ourselves drawn toward you by a natural sympathy. It is among you that liberty has found her abode, and she is worshipped by you as by our fathers. In invoking her name we invoke yours; feeling that in imitating you we imitate our own ancestors, and that we shall show ourselves worthy of them in proportion as we resemble you.

Tho’ separated from you, Americans, by mighty oceans, we are drawn near to you by your virtues. We feel you to be nearer to us than the nations on our frontiers, and we regard you as friends, fellow citizens, and brethren, because you are just, benevolent and generous. Just, for you are free: Benevolent and generous, for your laws are the laws of the gospel. Your freedom does not rest on the slavery of other nations, nor your happiness on their oppression and woes. On the contrary, free and prosperous yourselves, you wish that all men should partake of these blessings, and enjoy the rights which nature intended for all. It is you who first asserted these rights, and you who have first again recognized them, in restoring to the oppressed Africans the character of men. It is your example which has led Europe to abolish that shameful and cruel traffic in human flesh; from you, that she learns the lessons of justice and the duty of reforming her absurd and sanguinary customs. This glory, Americans, is exclusively yours, and exalts you above all the nations renowned for good government and freedom.

It is now for you to perfect your glory, in aiding us to purge Greece from the barbarians, who, for four centuries, have polluted it. Surely it is worthy of you to discharge the duty of all civilized nations, in expelling ignorance and barbarity from the native soil of the arts and of freedom. You will not imitate the culpable indifference, or rather the long continued ingratitude of some European nations. No, the country of Penn. of Franklin, and of Washington, cannot refuse her aid to the descendants of Phocion, Thrasylbulus, Aratus, and Philopæmen. You have already evinced your confidence in them, by sending your children to their schools. You know with what joy they have been received, and the steady kindness and attention of which they have been the objects. If they have done this in bondage, what will not be their friendship and attachment to you, when, by your aid, they shall have burst their fetters! Greece will then offer you the advantages, which you would seek in vain from her ignorant and ferocious oppressors. The ties of fraternity and kindness will forever unite the Grecians and the Americans; and our mutual interests are such, as to strengthen forever an alliance founded on liberty and virtue.

Kalamata, May 25, [June 6,] 1821.

Signed—The Messenian Senate of Kalamata.

Peter Mavromichales, commander in chief.

Such is the proclamation issued from that portion of the Morea, which has ever been the least sub-

jected to the Turkish government. The little town of Kalamata, standing at the head of the ancient Messenian Gulf, and not far from the ruins of Messene, is separated only by a brook from the province of Maina. Of the assembly convened at Kalamata, under the name of the Messenian senate, we have no satisfactory information; the publication of a proclamation like this, and the mission of an authorized ambassador to Paris, with his possession of the confidence of the most respectable Greeks in that city, seem to authorize us to attach some importance to the character of the body in question. It may be inferred, we think, from the proclamation and the letter from which we have given an extract, that the Greeks despair of assistance from the great continental powers in their neighborhood. We are at a loss to understand that part of the proclamation in which America is said “to have sent her children to the schools of Greece, where they had been kindly received. Nothing occurs to us, to which this can refer, unless it be the circumstance that the American missionaries to Palestine stopped at Scio, for the sake of acquiring the language of the Greeks, and were instructed by one of the professors in the academy there.

PERU.

A letter from Valparaiso, dated July 14, says—The British frigate Owen-Glendower, has just arrived here in 18 days from Callao. The armistice between the vice-roy and general San Martin had been renewed for 12 days, and afterwards for six days. An American gentlemen at Lima, writes, that the conditions offered by gen. San Martin are the following:—The possession of the forts at Callao, with 800 of his troops to garrison them; half the proceeds of the mines of Pasco; quiet possession of the coast of Peru now under patriot dominion; Callao to be a free port for the U. States, Europe and Chili; no men of war of either party to enter Callao; an armistice for 18 months; two deputies to be sent to Spain—the one patriot, the other royalist; the ship to carry them to be furnished by San Martin; all the revenue from commerce, to belong to the vice-king of Peru.

The terms were agreed to by all excepting Valdez, a Spanish colonel, who is very determined and may hold out a little longer. The letter from Lima, states, that if there should be a renewal of the war, there will be a civil commotion in Lima.

COLOMBIA.

BOLIVAR is efficiently copying the most illustrious traits in the character of our WASHINGTON—May he continue faithful to the end, and become entitled to be called “the father of his country!”—We have seen that, at the moment when he thought that the independence of Colombia was gained, he wished to lay down his office as president—and the following gives us another instance of equal disinterestedness and magnanimity.—It is for the honor of human nature that these things should be preserved.

From the Correo Nacional of Maracaibo, of the 21st July, 1821—11th.

Head quarters, Guanaure, 25th May, 1821.

Simon Bolivar, liberator-president of the republic, general in chief of the armies of Colombia, &c. &c. &c. to H. E. the vice president of the republic. int.

Moved by the clamors of my own family and of those of some friends and companions in arms, groaning under the miserable situation wherein they found themselves, I took the liberty, in the year 1819, to draw an order on the public treasury of Bogota. I herewith enclose to V. E. under No

1, the copy of the answer which I received from the receiver-general, announcing the receipt of my draft, and advising me that the same was ordered to be paid. The document No. 2, confirms its payment. The laws respecting the partition of the national properties, entitle me to twenty-five thousand dollars, as general in chief of the army, and to the right of expecting bounties and extraordinary grants; and the law which regulates the pay of all the officers, adjudges to me as president of the republic, fifty thousand dollars annually, from the year 1819. I do, from this moment, renounce all these rights and wages which I have not received; satisfied with the fourteen thousand dollars paid at Bogota. The object for which I took that sum, and the sacred duties which I have withal fulfilled, have fully requited me for the rights which I now forego in behalf of the treasury. I request Y. E. will be pleased, in my name, to lay this candid exposition of my will, before the general congress; if accepted, I will look upon it as a peculiar kindness, which I will value as the purest testimony of the regard with which the national representatives deign to honor me. BOLIVAR.

Answer from the congress to the liberator's letter through the minister of finances, respecting pay assigned to him, with other grants.

Secretary's office of the general congress, 25th June, 1821.

To the minister of finances:—"The congress being informed of the resignation made by H. E. the liberator president, of the pay, grants and assignments which belong to him in virtue of the laws made in the extraordinary session of last evening, but taking into consideration his love for liberty, his indefatigable constancy to defend it, his integrity and disinterestedness, he can never renounce the gratitude of Colombia, which is his best patrimony!!

*"Resolved:—*That the liberator Simon Bolivar, may well renounce before the future congress, the pay, grants and assignments belonging to him by the laws."

And which I have the honor to transmit to your lordship.

God preserve your lordship many years.

FRANCISCO SOTO, Secretary.

POSTSCRIPT.

SUMMARY. After the preceding articles were arranged, we received New-York papers containing news from London as late as the 15th of September. We hastily extract the following particulars, which, indeed, contain the substance of all that has reached us.

Great Britain. It appears certain that the crop of wheat has been exceedingly injured by successive rains, and that a great advance had taken place in the price of flour—Thirty-five shillings, (nearly \$8), per barrel had been offered at Liverpool for a cargo of Philadelphia flour and refused—38 to 40s. asked. The harvest on the continent is also reported to be very short and much damaged by the rains.

The king had not yet arrived in England—he had been detained by head winds.

France. There are various surmises about the duke of Wellington's late visit to Paris and inspection of the fortresses in Belgium. One account says that Great Britain offers to guarantee to France her former limits to the Rhine, &c. and restore certain colonies, provided an army is marched to-

wards Austria, with which the British fleets and armies would co-operate. These accounts regard a war between the Russians and Turks as inevitable, and it is given out that Great Britain and France will take side with the latter, to check and keep down the excessive power of Alexander. We do not know what reliance to place on those reports, but there seems to be some foundation for them on known events that have taken place: and it is highly probable, that if the Russians shall attempt the expulsion of the Turks, it will be followed by a general war. The London Courier, however, expresses a belief that peace will be maintained.

Spain. There are certain rumors about expected commotions at Madrid. Morillo was said to be at the head of a counter revolutionary party. He had been put upon his trial. The minister at war had been dismissed.

Austria. There is an evident understanding between Austria and Russia. The whole army of the former seems to be in a state of preparation for instant hostilities, and will support the movements of those of the latter power.

Russia. The Russian consul general in Wallachia has taken refuge in Transylvania, and advised all the Russian subjects in Turkey to stand prepared to leave it. The troops on the Turkish frontiers are exercised every day, and were full of animation at the hope of meeting the Turks. It is evident that war against them is eagerly desired in Russia, by all classes of the people. The fleet on the Black sea is prepared to act at a very short notice. The emperor was soon expected to arrive in this quarter of his dominions.

A letter is published at Boston, from Bremen, dated September 2, which says—"This moment the news reaches us that the Russian ambassador has left Constantinople; that war is declared; and that 300,000 Russians, with 100,000 Austrians, are marching towards Constantinople."

A Bremen paper of Aug. 29th, states that the court paper at Vienna, which, until then, had a pacific appearance, had now assumed a warlike aspect.

Turkey. The question of war or peace with Russia is not yet positively decided. It is however affirmed that Alexander means to occupy the country, as the Austrians hold Naples, and that his army had really passed the Pruth. The Russian ambassador who left Constantinople, arrived at Odessa on the 13th August. The London papers say that the emperor of Russia will not act against Turkey but in concert with his allies, including England—yet his armies were advancing rapidly.

It is said that the Greeks in the Morea have been severely defeated with the loss of 3000 men—but a naval action took place between them and the Turks on the 25th July, between Samos and Chios which lasted three days, and ended in the destruction of the fleet of the latter, consisting of 17 ships of war, and 32 transports, with 13,000 troops on board.

Trapalitzza has been reduced by the army late of Ypsilanti.

As an evidence of the submission of the Turks, and that war will not take place, it is mentioned that the Turks have proclaimed a free passage of the Dardanelles to all Russian ships. The Russian ultimatum is reported as agreed to, but it does not appear that the assent was without some qualifications.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FLOUR. We are much inclined to believe that the late rise in the price of this article had little more than the *spirit of speculation* for its foundation. The real sales made in Baltimore were of a small amount, and both buyers and sellers are now at a stand—the price of the commodity is nearly nominal, except what is sold for domestic consumption, which is various and uncertain. Later advices from Europe are impatiently waited for.

☞ There are *verbal* reports by an arrival at New York, a day or two later from Liverpool, that the crops were turning out better than was expected, and that the market had not advanced.

FLORIDA. It is well said by the *Richmond Enquirer*, that our newly acquired territory of Florida "is very productive of—documents." We now add several to the mass of matter hitherto given, to present, if possible, "a view of the whole ground." We wonder that so great a fire has been kindled by the *old Spanish-like* proceedings of two individuals—by which we mean to insinuate, that the door of common justice was only to be opened by a golden key. But Jackson determined that "justice is—justice," and used his great powers as "captain-general" to demonstrate it.

THE CONSTITUTION. On the 7th of December, 1816, president *Madison* invited the attention of congress to the "expediency of exercising their existing powers, and, where necessary, of resorting to the prescribed mode of enlarging them, in order to effectuate a comprehensive system of roads and canals," &c. This part of his message was referred to a select committee of the house of representatives, who made a very interesting report on the subject,* and concluded with a resolution requesting that the president should report to congress at its next session and every subsequent session, "such roads and canals and improvements of water courses, as were required in a general system of internal navigation," &c. At this session, also, Mr. *Calhoun*, now secretary at war, introduced a resolution to set aside the bonus and annual dividends of the national bank "as a permanent fund for internal improvements," which, in due course of time, passed both houses and was presented to Mr. *Madison* for his approbation; but on the 3rd March, 1817, the last day of his administration, he informed the house that he had considered and rejected the bill which set aside certain funds "for constructing roads and canals and improving the navigation of water courses," because it did "not appear that the power proposed to be exercised by it was among the enumerated powers" granted by the constitution, or by "any just interpretation" could be made out to appear so.† This settled the question; for, though the bill was afterwards attempted to be carried, a majority of four only was obtained for it in the house of representatives, and it was consequently lost. President *Monroe*, in his inaugural speech, 4th March, 1817, invited attention to roads and canals, proceeding always, however,

with a "constitutional sanction," giving the people to understand clearly, that he also thought power was wanting in congress to expend money for internal improvements.

A Lexington, Ken. paper of the 8th ult. notices the arrival there of gen. Bernard, col. Trotten, capt. Poussier, and other gentlemen of the corps of engineers, on their way to Louisville, for the purpose of making a survey of the Ohio and Mississippi rivers, in pursuance of an appropriation made by congress for that purpose, with a view to the improvement of the navigation of the western waters. We are really pleased to hear of this—for it is as much the business of the general government to attend to such things, as for a man to guard the *veins and arteries* of his own body; but we should be glad if some one learned in the law, would tell us from whence the power to expend money in the survey of a river is derived, seeing that there is no power to apply money to the *improvement of its navigation*—and to describe the use of the former if the latter cannot be accomplished? In our humble notion of the *principle* of things, it appears to us, that the cost of surveying a river as much becomes a constituent part of the expense of improving its navigation, as that portion of the money which may be laid out in deepening its channel by removing obstructions to its course; and we really cannot apprehend a power to do the one, without insisting upon it that there is also a power to do the other. If we agree that congress has the right to expend money for such purposes in the territories of the United States, it has no relation to this subject; for the Ohio river as much belongs to *states* as the Susquehannah or Potomac; and so we are at fault again. A mention of the Susquehannah calls to mind what is now going on in Baltimore—a large sum of money has been raised in this city, by voluntary subscriptions, for the purpose of "surveying that river, with a view to the improvement of its navigation;" why might not the money for this have been as rightfully requested and obtained of the general government, as that which is to be expended in surveying the Ohio? The last, to be sure, is the greatest river, and more persons and a much larger district of country is interested in its navigation—but the navigable streams of the Susquehannah have an united length of eighteen hundred and fifty miles, and it is the channel through which the waters of the *great lakes* will probably be united with those of the Chesapeake bay, before twenty years; presenting a direct water-communication from the seat of government to the Canadian frontier. Though more immediately interested in the navigation of the latter river, we have a sufficiency of public spirit to approve a first attention to the Ohio and Mississippi—all that we mean to imply is, that the people of Maryland, Pennsylvania and New-York, &c. possess as much right to have the Susquehannah river surveyed at the cost of the United States, as those of Kentucky, Ohio, Indiana, &c. can have to claim a survey of the Ohio river at the expense of the union: else we think that there must be one *constitution* for the Atlantic and another for the western states, though we never yet have heard that there was, and hope that there never will be.

*Weekly Register, vol. XI, page 423. †Vol XII, page 25.

"Equality is equity—conformity is justice." Our design in reference to this matter is, that the merits of the great question, as to the power of congress to appropriate money for internal improvements, should be again enquired into,—for we must presume that the president has changed his opinion about it; but if it shall appear that there is no power to *improve*, it is ridiculous to suppose that money can be appropriated to *survey*, with a view to *improvement*.

RELIEF LAWS, &c. It is with much satisfaction that we notice the progress of good principles in the west, in regard to relief laws and local currencies, and refer our readers to the inaugural message of governor Carrol to the legislature of Tennessee, for some very sound common-sense remarks on those subjects. Had the legislators of Kentucky and Tennessee refused first to have sanctioned lenders of banks, and afterwards rejected certain propositions that interfered between debtor and creditor and violated the obligation of contracts, the people of those states would have easily passed through the trials and difficulties which have been so generally encountered in Europe and America, in consequence of the great changes that have happened in the relation of things and condition of nations. But they attempted to legislate their people out of their difficulties, and the result has been, that every act for that purpose, producing momentary relief to some, has mightily added to the general stock of misery and distress—and caused the ruin of thousands through the sudden extensions and sudden contractions of the credit system—by outrageous depreciations of the local currency, which necessarily caused extraordinary appreciations of money.

Much has been said about "hard-hearted creditors"—it answers well to catch the vulgar, and may be very profitably employed by those who would live on the labor of their fellows: it is like the cry of "mad-dog" in the mouth of a malicious man—but, as we have before observed, there is ten thousand times more injury sustained by dishonest debtors than from hard-hearted creditors. Now and then a wretch appears, and I think that I know two or three such, who would sell the widow's milk at auction, which nature had given her for the support of her orphan child, if it were possible to do it, rather than lose a part of their claims against her; but it is so generally the interest of creditors to deal tenderly with their *honest* debtors, that they rather sustain and encourage than oppress and dishearten them. The man that will not make an effort to pay his debts, or squanders other people's money at the gaming table, race-course, &c. more often receives mercy than justice,—for he is not entitled to commiseration; and it is for his own good, as well as that of the society in which he lives, that extensive suffering should teach him discretion, and compel him to live honestly or suffer him to exist ignominiously. If reformation is produced, there are few persons so destitute as to be without friends to help them onwards, unless their previous vices and crimes have exhausted the means of such friends, which is too often the case, especially in places where the payment of debts may be shoved off by long stays of execution or other regulations for "relief," by which their friends, lending their names just as *matters of form*, are often times involved in a common ruin.

I am not prepared to say, that no emergency can arise when it might not be sound policy to interpose between debtor and creditor, by legal provisions;

but I never have heard of any thing of the kind being done, which did not add to the heap of suffering which it was presumed to be a panacea for. The dissolute and desperate as much *calculate* upon such procrastinated payments, as a prudent man does upon the money which he has on hand; and the result is, that they get not only deeper and deeper in debt, but involve others in their difficulties, who ought and would have assisted them to begin the world a new, under different circumstances. As labor and abstinence are the only means by which certain cruel diseases of the human body can be relieved or cured, so there is no remedy for "hard times" but industry and economy. All else is quackery.

OBLIGATION OF CONTRACTS. *Important legal proceedings.* The following account of the substance of a late decision had in Baltimore county court, has contributed much to revive a hope that justice has not wholly departed from our land, as it affects the relation of debtor and creditor. It is settled, (and in conformity to the decision of the supreme court of the United States), that those late fruitful agents of corruption, the insolvent laws of Maryland, are rendered nearly harmless; they no longer, like the open doors of a brothel, will invite the people of prostitution. They only release the *person* of a debtor—his *property* subsequently acquired is liable to the payment of his just debts, about which there never ought to have been a question made. We have been almost literally ridden over by those who thought they had discharged every legal obligation to be honest, by a few round affidavits before the commissioners, and are truly glad to learn they have found themselves to be mistaken.

"It is now fully understood and admitted, (says the *Federal Gazette*), that the *only* benefit which a debtor can obtain by an application to the commissioners of insolvent debtors, is the *release of his person from imprisonment*. The right of creditors to obtain the full amount of their just claims out of any property acquired by an insolvent debtor, subsequent to his application for the benefit of the insolvent laws of this state, it is also admitted, is not affected by any release or discharge which such debtor has obtained or can obtain.—Our insolvent system, under the present construction of the law, is therefore become comparatively harmless, and the complaints of creditors, as to its injurious effects, we presume, will cease. We consider it now of so little importance for creditors to know that their debtors are applying for the benefit of a law which can only release their persons from imprisonment, while all their property, rights, claims, and future acquisitions, remain answerable for their debts, that we shall discontinue the publication of the list of applicants for the benefit of the insolvent laws, after this day."

In the case of the United States *vs.* Frederickson, lately tried at Philadelphia, in the U. S. circuit court for Pennsylvania, the following proceedings took place:

Atherton, for defendant, moved for a "rule to shew cause why the process in this case should not be set aside with the costs." The motion was grounded on the 14th section of the act of assembly, passed 20th March, 1814, which enacts, "that it shall be lawful for the court by whom any debtor shall have been discharged under this act, to make an order, that whenever a majority in number and value of his creditors residing within the United States, or having a known attorney therein, consent in writing thereto, he shall be released from all

suits, and the estate and property which he may afterwards acquire, shall be exempted from execution for any debt contracted, or cause of action created, previous to such discharge, for seven years thereafter; and if, after such order shall be so made, and a majority in number and value of his creditors shall have consented as aforesaid, any action shall be commenced or execution issued for such debt or cause of action, it shall be the duty of the court from which the process issued, to set aside the same, with costs." It was stated by the counsel, that a motion similar to the present had been sanctioned by the district court for the city and county of Philadelphia.

The court refused even to grant the rule to shew cause, observing that the law upon which the motion was founded was equivalent to a discharge of the debt; and, to say the least of it, impaired the obligation of contracts, contrary to the decision of this court in *Gold vs. Prince*, and that of *Sturgis vs. Crowninshield*, 4th Wheaton's Rep. 122.* If the legislature can constitutionally take away a creditor's remedy for seven years, they can for seventy—in either case the law impairs the obligation of contracts, they differ only in degree.

"CHANGE OF POSITION." The general success of manufactures in the United States is undoubtedly established, unless there shall be extensive wars in Europe to divest the attention of the people and their government from the things that belong to their own peace and prosperity, to artificial and temporary means of relief and apparent benefit. It may be anti-commercial, but I am sure that it is not anti-Christian, nor do I believe that it is anti-republican, to express a desire that the happiness and success of this great and rising nation may not at all depend on the miseries of the inhabitants of other countries. Our own prosperity must be built upon our own resources, and then, though it may be hastened forward by war or famine in Europe, it cannot be prostrated on the return of peace and plenty to the people of that quarter of the world. Our habits of industry and application to business, should not be overcome or deranged by the bubble that commerce holds out as contingent on the disasters of others, and by which thousands of honest and laborious men are deprived of their hard earned property, by the fluctuations of trade and its effect on the value of all sorts of real and personal acquisitions. Steadiness is the surest pledge of accomplishing the independence of this country and of rendering it the richest on the globe. Money is only the sign of wealth—it is the capacity to furnish that which will produce money, that constitutes the wealth of nations, and this is in the profitable employment of all willing to labor, and its amount of value surpasses calculation. Whatever congress may do or leave undone, we are most solicitous that they should pursue some system that shall become permanent, so far as they have the power to establish one. When we get familiarized to it and our calculations are made upon it, our interest will be far better promoted even by a *bad* system, than if project is to succeed project and every thing remain subject to change on adventitious foreign events, which we have no power to controul one way or another. It was an adherence to system that has rendered France the country in which, of all others, the comforts of life are most easily obtained—though, within a few years, she has

been spoliated, and paid to her spoilers, a value equal to not less than six or seven hundred millions of dollars, which one would have supposed must not only have drained her of all the precious metals but of every thing also that was easy of transportation, and might be exchanged for them. But it is not so—specie is abundant in France, because there is abundant employment for her whole population; which cannot be materially affected by accident, while the system of Napoleon is maintained; and which Louis, even if disposed to sacrifice the happiness of his people for the benefit of *foreigners*, cannot muster up courage enough to abandon.

The poverty of the people of the United States has partially brought about what a wise legislation might have accomplished without suffering—many of the most valuable manufactures may now be regarded as established, provided Europe remains at peace and has plenty. But if the war or famine rages, up goes speculation and down goes industry, and a momentary prodigality will again precede a long series of misery and distress. The manufacturers do not want any thing to act in their behalf like a *bounty*, such as is granted to American ship-owners and fishermen—they only desire an assurance that changes in Europe shall not affect their establishments as to the *home market*, as in 1816 and 1817; when many that had regarded themselves as wealthy were almost reduced to beggary, without any fault or act their own.

A conviction is forced upon us that reliance cannot be placed on foreigners, either to fill the public treasury by taxes paid by our ourselves on their goods, or to promote the private happiness; and we unwillingly see that, like other nations, we must depend upon ourselves for the supply of our own public and private wants. No other government than that of the United States ever suffered its revenue to depend on the caprices or crimes of other governments—we stand alone as an example of that policy which rests upon chance to defray the expenses of our political institutions—the payment of our president's salary may be said to rest upon the consumption of British cloths or French silks, and we begin to think that this state of things cannot last much longer;—so the people will not be "*let alone*"—their lands and houses or products must be directly taxed, or the wheels of the government will stop. But it is notorious that such taxes cannot be paid without some corresponding regulations for the encouragement of domestic industry—and hence it is, perhaps, that several of the editors of newspapers that formerly were the most hostile to manufacturing, are easing off—and, as it were, putting "an anchor to windward" to come in for a share of the merit of a system which others have long contended for, and which would not yet be thought of by such persons if the revenue yielded a sufficiency by imports, though the introduction of foreign goods should fill our country with paupers, and cause the husbandman to lament the abundance of his crops, on account of the want of a market for them. For, my part, I am grateful that the time is at hand when the citizens of the United States will not be wholly cheated into the payment of taxes; when they will feel that they have a government, and so watch its proceedings for the preservation of their liberties; and, we beg leave to remind them of our favorite quotation, that "vigilance is the condition on which they are granted;" and besides, it produces economy in the administration of the public affairs, and keeps every body more honest.

*[These important cases are also preserved in the REGISTER.]

It is my deliberate opinion, that the immense amount of taxes, in the shape of duties on goods imported, paid in the years 1815, 1816 and 1817, had a much more powerful effect to destroy the morals, as well as to injure the United States in a pecuniary point of view, than the period of the late war; and, such is the desperate condition of tens of thousands of those who pass for sober citizens, as to openly declare, that the time of the war, with all its horrid concomitants, was preferable to this time of peace—"the æra of good feelings."

Before we dismiss this subject we may well express our astonishment in observing the great amount and variety of *family manufactures* that have been exhibited at the late agricultural fairs in New York and others of the more eastern states. Grass bonnets, in imitation of the Leghorn, but of superior qualities, were frequent—with cloths, of all sorts, of wool, flax and cotton and mixtures of them,—and flannels, blankets, stockings, shawls, counterpanes, &c. &c. were exposed without number; and readily sold at very pleasant prices.

WORTH OF IMITATION. A decree has passed the Portuguese cortes which provides that "no deputy to the cortes, during the time of his holding the place of deputy, shall accept or solicit from the government, for himself or for any other person, any pension, mark of honor, (*condecoracao*), or employment, except when it belongs to him by virtue of the law in the career of his profession."

The London "Courier" calls this "a ridiculous assumption of political virtue," and we apprehend that there are many persons in the United States that would say the same thing—if they dared. The numerous applications by members of congress for office, shews us, at least, that the great principle on which a majority is obtained in the British house of commons, is not practically rejected here. It is not probable that we shall soon have a president that will give places for votes—but, surely, it cannot do any harm to prevent a traffic so infamous. Perhaps a great deal might be done in this way, by other persons high in office, to screen their own maladministration in regard to the public disbursements. The best way to keep people honest, is to look sharply into their proceedings—for we have not any more "angels" here than there are in England or Portugal! Man is every where pretty nearly the same; and if less corruption exists among the rulers of one country than in another, it is because the people have more vigilance to detect and power to punish the guilty.

POPULATION OF 1820. We have, at last, received the gross returns of the population of Virginia, without any sort of classification of the people—the aggregate is 1,028,623; shewing an increase of only 54,001 persons in 10 years, and nearly 100,000 less than we supposed that the population would have amounted to.

In 1810, the number of slaves in Virginia was 392,518—it is probable that more than the increase of population in the whole state is to be found in the increased amount of this people;—but she will still have the third rank in the power of the states as represented in congress, for her constitutional number will be about 880,000—three-fifths of the slaves being counted. Young Ohio holds the 4th grade of representative power.

IN PENNSYLVANIA, however rent by parties and impeded or impeded by factions in what is commonly called politics, a steady disposition exists to

encourage domestic industry and extend facilities to internal navigation, by roads, bridges and canals. As well for the purpose of complimenting this noble state on such a policy, as to make known the fact that such a manufacture exists, we state, with pleasure that the commissioners superintending the erection of the state capitol at Harrisburg, have contracted with Mr. Macauley, of Philadelphia, for a large quantity of *Ingrain Carpetting*, of his own manufacture, to cover the legislative halls, &c.

YANKEE NOTIONS. A Massachusetts paper observes, "there is not a native that cannot read and write; every child is educated; every child is entitled to education as a right. The rich tax themselves to educate the poor. By our constitution and laws, schools must be every where supported enough to educate the whole population." We wish such notions as these were more prevalent in Maryland. We have thousands of adult white natives of the state, that do not know a letter of the alphabet, perhaps, except "round O" or "crooked S."

THE METHODISTS. The total number of the members of this society is given at 523,605—of whom 281,146 are under charge of the American, and 242,459 under that of the British conferences. The whole amount of preachers is 1,930; viz. in Great Britain 700; Ireland 125, foreign stations 128; in the American conferences 977. The first American conference was held in 1773, when there were only 10 preachers and 1,160 members!

TENNESSEE BANKS. We have late exhibits of the state of these banks, from which the following items are taken:

<i>Bank of the state of Tennessee.</i>			
Specie on hand	24,193	Deposites (indiv.)	17,360
Notes of other banks	131,740	Do. of the treasury	210,730
Notes discounted	402,839	Notes in circulation	337,469
<i>Bank of Nashville, with the branches at Shelbyville and Gallatin.</i>			
Specie on hand	168,000	Notes in circulation	469,000

No other particulars stated.

WHAT'S TO BE DONE? From the *Richmond Enquirer* of Oct. 30 Mr. Niles, in his last Weekly Register, professes not to be "in the secrets of the cabinet;" but states that he has "what appears" to him "good reasons to believe, that a heavy duty, tax or excise will be recommended by the executive to congress, at its ensuing session, on distilled spirits and some other articles—and, at the same time, such a rise of the present duties, on articles of like kind imported, as shall amount to nearly a prohibition of them."

Suppose Mr N's conjecture right, this objection to the scheme immediately presents itself. Suppose it to be on whiskey, the western people principally will have to advance it; now, what money will they pay it in? Surely not the current paper, which is near 50 per cent. discount; for the government of the U. S. will spend very little of this money in the west—they want most of it elsewhere.—If demanded in specie, where are they to get it? They have not enough of it already to pay the government what they owe for land—and the table of the next session will probably be again loaded with petitions for relief against these debts. How then can they contrive to pay a new and heavy tax?

--The circulation of the western country alone presents some difficulties to a new and heavy system of taxation.

¶ In this state of the case—we ask *what is to be done?* Borrow, borrow, BORROW, and pass the sovereign authority into the hands of bankers and shavers—stock-jobbers and money-lenders, and enjoy the “blessings” of an unextinguishable public debt, like England? No—if, after overhauling our expense account, we cannot get along—let us make a full stop until we ascertain *what's to be done?*

But would not the very duty on whiskey be first paid by the “western people,” so operate on the eastern people as to enable the other easily to pay it, and not in depreciated paper?

THE CLAIMS ON SPAIN.—We expected that, soon after the adjournment of the commissioners appointed under the Florida treaty, we should have been able to lay before the public a concise abstract of their proceedings during their late session. But, little of a conclusive nature having been determined on, and great indulgence having been allowed to the claimants who wished a suspension of cases involving the least doubt, until an argument was heard—it was impossible for us to obtain or furnish much satisfactory information. In fact, the principle part of the time of the commissioners was employed in examining the memorials filed with the secretary of the board previous to or on the 10th ultimo, which amounted to about three hundred in number. Of these memorials many, we understand, were so defective in the statement of the particulars of the claim, or in complying with the orders of the board, as to require amendment; and of those suspended for argument, some involved very important and doubtful principles, while others were suspended merely at the request of the claimants or their agents.

Many claims, as stated by the memorialists themselves, were so obviously out of the pale of the treaty, that they were at once rejected on the claimants' own shewing. We mention two or three of these to shew the kind of cases which have assisted to constitute the enormous amount claimed by our citizens from the Spanish government—heretofore stated, we believe, at between thirty or forty millions of dollars. For instance, a woman presented a claim for damages sustained by her in consequence of the detention of her husband by Spanish authority; another for injury done to a vessel accidentally run afoul of by a Spanish vessel; another for a capture by a French privateer, which dispatched the captured vessel to Cuba, but, before its arrival there, a re-capture by a British vessel occurring, a heavy decree for salvage by a British court of admiralty followed, &c.

Of the important points suspended for argument, the following, among others, may be enumerated:

1. Cases of American vessels captured by privateers, (bearing French commissions and colors, but owned and manned, in whole or in part, by Spaniards,) carried into a Spanish colony, under the sight, or with the knowledge, of Spanish authorities—the American crew there dismissed, the cargo plundered, distribution of the prize made among the captors—no proceedings ending in a condemnation instituted before any court—and all application made by the American owners to the Spanish authorities for redress, evaded or refused.

2. Cases of contracts made by American citizens with the Spanish government, and not complied with by the latter—in other words, whether any but cases of torts are embraced by the treaty,

3. Claims for contingent losses—the loss of contingent interests, or the loss of probable profits.

4. Cases of seizure of vessels by the French government, in the ports of Spain.

Arguments *in writing* are required to be made by the board on all the questions that are thus suspended, at their next session. A liberal construction will no doubt be given to the treaty, but it is the duty of the board, at the same time, to guard the interest of those claimants whose rights are indisputable; for the admission of a false claim will necessarily diminish the amount received by rightful claims, should the sum quoted by the treaty fall short.

We would by no means suggest to claimants any step that would incur unnecessary expense; but, where they cannot attend, personally, the meetings of the board, it appears to us to be their interest to have counsel to represent them.

We understand that the number of memorials filed with the secretary of the board at this date, exceeds five hundred. The board, it will be remembered, has adjourned to the first Monday in January. [*Nat. Intel.*]

The late occurrences in Florida.

FROM THE FLORIDIAN.

I have seen a publication in the New Orleans papers, signed “*Callava*,” purporting to be a statement of facts in relation to the occurrences here, on the 22d August, “which he attests to be true in every respect, under the oath which he takes upon his honor, as solemnly as the law requires, consenting to answer with his head for the truth of said statement.” This publication I feel myself, from a sense of truth and justice, constrained to pronounce a tissue of falsehood and distortion of facts from the commencement to the end. But for the palpable untruth of that part of colonel Callava's statement which relates to my personal agency in the affair, I should not have appeared before the public, and now do so with extreme reluctance. The following is the commission under which col. Butler* and myself acted on that occasion, and our official report thereon—

It being made known to me, by the confession of Domingo Sousa, that the papers named in the petition of Henry M. Brackenridge, alcalde for the city of Pensacola, and which were demanded under my orders as the property of private individuals, by colonel George Walton, secretary for West Florida, colonel J. Miller, clerk of the county court of Escambia, and Henry M. Brackenridge, alcalde for the city of Pensacola, were, after said demand, in pursuance of my orders as aforesaid, was made, by the said Domingo Sousa, and a negro man, carried this day to the house of the late governor don Jose Callava, and delivered (the said documents and papers), into the possession of his steward, named Fullarat:

Colonel Robert Butler, of the army of the United States, and Dr. J. C. Bronaugh, accompanied by Henry M. Brackenridge, esq. alcalde for the city of Pensacola, will wait upon colonel don Jose Callava, and his steward, named Fullarat, and demand from them the following papers, this day delivered to the said Fullarat, at the house of the said colonel Callava, by the said Domingo Sousa, that is to say: First, the documents and papers relating to the estate of Nicolas Maria Vidal. Se-

Col. B. is at his farm in Tennessee.

cond, the documents in the proceedings between Carlos de Ville and Eugene Sierra. Third, the documents and papers in the case of Manuel Bonfay and Carlos de Ville. Fourth, documents and papers on the proceedings in the case of Peter Guilkes against Thomas Villasica, all which documents and papers are acknowledged to be the property of individuals, and appertaining to their rights, and which are secured to them by and under the 2d article of the treaty with Spain, concluded at the city of Washington, on the 22d day of February, 1819, and ratified on the corresponding day of 1821, and must remain for the protection of the rights and property of the said individuals, and no officer of Spain can rightfully take them away, or keep them from the office of the duly appointed alcalde for the city of Pensacola. It is further ordered, that if the said late governor don Jose Callava, or his steward, Fullarat, when the above described papers are demanded of them, should fail or refuse to deliver the same, that the said don Jose Callava, and his steward, Fullarat, be forthwith brought before me, at my office, then and there to answer such interrogatories as may be put to them, of and concerning the premises; and to abide by, and perform, such order and decree touching the said documents and papers, secured to them as aforesaid, as the justice of the case may demand.

Given under my hand, at Pensacola, this 22d day of August, 1821. ANDREW JACKSON,

Governor of the Floridas, &c. &c.

To colonel Robert Butler, of the army, and Dr. J. C. Bronaugh, in company with Henry M. Brackenridge, to execute, and return, and report thereon.

Pensacola, Aug. 22, 1821.

SIR—Pursuant to your official order, bearing this date, we proceeded to the house of colonel Callava, who was absent: but on again returning to his house shortly after, we found him accompanied by a number of Spanish officers, clothed with their side arms, and Mr. John Innerarity, on the porch. The demand was formally made of the documents enumerated in your order, and peremptorily refused; when he was informed that his refusal would be considered as setting at defiance the authority exercised by you as governor of the Floridas, in the execution of the laws: and they were again demanded, and the consequences of a refusal on his part enumerated, but in which refusal he still persisted—and we were about taking our leave, to prepare for the final execution of your order, when colonel Callava desired that if we would furnish him with a copy of the memorandum, setting forth the documents required, he would deliver them to us, to which we assented. The alcalde, H. M. Brackenridge, accordingly waited on him with a copy of the memorandum herewith accompanied, and informed him that he would call in two hours for the reception of the documents as promised. We proceeded at the appointed time, and found the gate and front part of the house closed, the former we opened by removing a bar, and on reaching the latter, a considerable stir seemed to be making in the house; we knocked several times without receiving any answer, when admittance was demanded in the name of the governor, in three instances, still without reply. The guard was then ordered to advance, and form in front of the house, and part detached to the rear, when it was discovered that the back door was open, and several Spanish officers, with Mr. Innerarity, who is one of your cabildo, were on the

porch. We enquired for colonel Callava, to which we were answered, that they did not know where he was—lights were procured, and the rooms searched, when colonel Callava was found in his bed, divested of his coat. Demand was then made of the documents, agreeably to his promise, and to our astonishment they were still refused, and several attempts made on his part to show that he was not amenable to the laws; to which he was answered, that the governor was, in the execution of the laws, bound to demand the papers, as they appertained to the rights and property of individuals resident in Pensacola, and that formal complaint had been made that they were improperly withheld, and that the governor knew no distinction between colonel Callava and any other man under his government. We then proposed that colonel Callava would deliver the papers, and he should have our receipt for them, which was also refused. We then again demanded them, reiterating our sentiments that his refusal would be viewed as an open act of mutiny to the civil authority exercised in the Floridas, and that he must expect the consequences: he persisted to refuse, and the officer of the guard was ordered to take him and Fullarat, his steward, into custody, and bring them before your excellency: which is now done.

We would add, in conclusion, that colonel Callava repeatedly asserted that he would not be taken out of his house alive; but he seemed to act without much difficulty when the guard was ordered to prime and load. A corporal and three were detached to remain and guard the house of colonel Callava and to prevent the removal of the boxes which had contained the documents, and which Mr. Brackenridge recognized in his bed room. From the relation in which Mr. Innerarity stands in this business, together with the interest taken on the side of colonel Callava, and at the same time exercising the functions of one of the cabildo of this city, we deem it an indispensable duty to recommend that your excellency will fill his place in the council with a character who will manifest a proper respect for the dignity of the laws and you their executive.

We have the honor to be, &c. &c. &c.

ROBERT BUTLER,
Col. U. S. Army.
J. C. BRONAUGH.

To his excellency ANDREW JACKSON,
Governor of the Floridas.

Memorandum of the documents which have this day been demanded of colonel Jose Callava, agreeably to the order of his excellency major general Jackson, governor of the Floridas, and which, on the demand of col. Robert Butler, J. C. Bronaugh, accompanied by H. M. Brackenridge, colonel Callava promised to deliver to col. Butler, if they should be found in the boxes delivered to him by Domingo Sousa.

1. The papers relating to the estate of Jose Maria Vidal.
2. Proceedings in the case of Carlos de Ville and Eugene Sierra.
3. Proceedings in the case of Manuel Bonfay and Carlos de Ville.
4. Documents in the case of Peter Guilkes and Thomas Villasica.

The whole of the above papers having relation to the rights of property in West Florida, and in which private individuals are interested.

H. M. BRACKENRIDGE, Alcalde.
Pensacola, Aug. 22, 1821.

I will proceed to call the public attention to those passages in colonel Callava's statement, which refer to occurrences where I was personally concerned. [*The part commented upon is to be found in second paragraph, commencing with the words "but before the dinner," &c. and ending, "he paid some attention to my representation."*]

The reader may judge what reliance is to be placed upon this pompous manifesto, when he is informed that no conversation whatever took place between col. Butler and myself, with colonel Callava, at the house of colonel Brooke, on that day, or at any other time! Col. Butler and myself, in the execution of our commission, accompanied by the alcalde, about 5 o'clock in the evening, proceeded to the house of col. Callava, which is situated a short distance from that of col. Brooke. On enquiring at his gate we were informed that he was dining with the gentleman just mentioned. From unwillingness to execute our commission at that particular moment, we continued to walk the street for about half an hour. Supposing that by this time the company might have separated, and feeling some dissatisfaction with ourselves for having suffered any circumstance to interfere with the discharge of the important duties assigned us, more especially as the governor was sitting in his judicial capacity, and expecting our report, we returned to the house of col. Callava, and were informed that he had not yet come home. It was then concluded to request the alcalde to go to col. Brooke's and inform col. Callava that we wished to see him at his house on business of importance. This he accordingly did, while we walked towards the gate, which is about thirty yards from the house, and remained there until the alcalde returned, which was not more than ten minutes, and reported that col. Callava was not disposed to comply with our request; that he had spoken on the subject of the papers of his own accord; talked of the law of nations, and declared that he was not amenable as a private individual. After a short consultation we advanced towards the house, and about half way met col. Callava and several Spanish officers in full uniform, with their side arms, some Spanish gentlemen, all of whom appeared to be retiring from the dinner party. We followed col. Callava almost immediately to his own house, where we found him in the porch surrounded by those gentlemen. Col. Butler, who had no previous acquaintance, was introduced, and, after some general conversation, the object of our commission was fully explained to him, through the alcalde, in the presence of his interpreter, his secretary, and Mr. Innerarity, all of whom were well acquainted with the Spanish and English languages, and who occasionally assisted in the interpretation. A demand was then made of the documents, as set forth in our report. The utmost temperance and delicacy were observed on our part towards col. Callava, but on his part great vehemence of gesture, and, apparently, (and as we have since understood), more violence of expression than was interpreted to us. The conversation occupied at least an hour; every circumstance in relation to the documents was repeatedly stated to him. The first part of our commission, containing a list of the documents, &c. was read and explained to him by the alcalde. The conduct of Sousa in delivering them at col. Callava's house, after the formal demand by the authority of the governor, was represented to him, and, it appearing from the declaration of Sousa, that they were then in his house, we again, in consequence, made a formal demand. He then de-

clared that Sousa in this business was nothing but his servant—expressed his approbation of his conduct—that he was acting under his orders, and that he himself was responsible. He insisted much upon certain rights which he contended he had as commissioner. At one time he said he held the papers as late governor—that he could not hold them as an individual, as if the mere possession of public documents conferred upon him diplomatic privileges. He said, if they were demanded of him, in writing, by governor Jackson, either as commissioner or late governor, *he would reply.*

Finding every effort to induce a surrender of the papers in vain, we requested the alcalde to read the latter part of our commission, requiring us, in case of his refusal to surrender the papers, to bring him before the governor. Our report will shew the manner in which we then proceeded.

Will it not be naturally asked, what confidence can be given to col. Callava's account of any *conversation or occurrence*, when we find him guilty of so gross a misstatement as that, "before dinner was over, three gentlemen called at col. Brooke's house, and stated that they were instructed to require the immediate delivery of the papers, *because* the governor had no need to use towards me any other way, nor to shew me any more regard than he would with respect to any other individual?" The fairness and candor of this mode of expression, and the word *because*, may be readily estimated. He proceeds, through the greater part of the extract, to give a speech, which he professes to have recited to us on that occasion, on the nature of his rights and privileges as commissioner, the absurdity of which must be evident to every man of common sense. His duties as commissioner had ceased with the delivery of the country. It is true, that some minor points connected with them had been previously referred to the decision of the respective governments, but the stay of col. Callava in this country was never known or even conjectured by governor Jackson to have been for any public purpose—such a thing was never intimated either verbally or in writing.

It was even supposed, until the very day he delivered the country, that he would embark with the Spanish troops, and it is most sincerely to be regretted that he did not, as his presence has had an evident tendency to prevent that dependence on, and attachment to, the government of the U. States, by the Spanish inhabitants, which was so much to be desired. It may be contended that although col. Callava had no right to diplomatic privileges, yet that he was entitled to a certain courtesy from the official character with which he had heretofore been clothed. But col. Callava ought to have been aware that he had long before forfeited all claim even to this courtesy. His conduct in relation to the points referred to the respective governments, had rendered it necessary for the governor to thus address him—"When these things shall be made known to my government and to yours, I must ask what confidence can be placed in your excellency, what in your secretary, for requesting time on account of your health, giving a pledge that the receipt should be given in a manner satisfactory to me, and afterwards, regardless of that pledge and of your express agreement, positively refusing to give it?" He was likewise informed "that his wilful breach of the agreement entered into, rendered null and void the receipt given for the ordinance, the one being the consi-

deration on which the other was founded." The circumstances were reported to the government of the United States, and col. Callava informed that no further correspondence would be held with him. And if, after this, he thought proper to remain here, he certainly had no right to consider that he would be viewed in a different light from any other individual. I repeat, that there is no truth in his assertion "that his stay, that of his secretary, and of his officers, depended upon the determination of the points referred to our respective governments." As a private individual only could he be known, and viewing him as such it would have been censurable in the governor to have made any distinction between him and Domingo Sousa, or Fullarat, the steward. Had the case been reversed, and the papers demanded at the instance of col. Callava, from some obscure individual, justice would have pursued its course, and not a whisper of complaint would have been heard. The whole burden of his complaint appears to be the disrespect shown to one of his elevated rank; he does not even pretend to assert any right to withhold the papers, provided they were asked in the *saviter in modo*, which he thought himself entitled to; but this is a kind of ethics for which the people of the U. States have very little respect.—"The great and powerful can generally protect themselves; it is the humble and the poor who require the defence and shelter of the law."

That col. Callava should state that he was "unacquainted with the nature and description of the papers, the delivery of which was thus demanded," displays a disregard of decency and truth entirely of a piece with the rest of his publication. He had the fullest information of the specific papers from Sousa the day before, and, on the 22d, in the presence of capt. Dade, the particular papers required were again made known to him.

I now proceed to another part of col. Callava's narration, which, I will shew, deserves no more credit, and is entitled to no more respect, than the foregoing. [*The part of col. Callava's statement here commented on, is to be found immediately ensuing the part above quoted, commencing with the words "feeling myself strongly attacked," and ending with that paragraph.*]

With his excuse for leaving col. Brooke's I have nothing to offer, further than to say that he appeared in ordinary health, as he walked with great rapidity, and I am not informed that he was confined to his house or bed before or since, and his setting out a few days afterwards, to ride post haste to the city of Washington, is conclusive that the state of his health was not such as he represents. The letter which he speaks of having written to the governor must have been penned some time after our departure, which shews, at least, inaccuracy in his relation of facts. There is more than mere inaccuracy in his stating that "at 7 o'clock, P. M. the same commissioners called at my house and summoned me either to deliver up the papers as a private individual, or to follow them to the governor's office." It was at that hour, that the alcade called upon him and delivered the memorandum of the documents accompanying our report, with positive information that we should call in two hours to receive them, agreeably to his promise. His excuse that this memorandum of the documents was not translated, is idle and ridiculous, as it contained but a few lines of English, with the Spanish names of persons interested in the papers, and could not have required more than two or three minutes to translate. We return-

ed about 9 o'clock, and, from every appearance, were perfectly satisfied that col. Callava and his friends expected us. No enclosures were torn down, as he states. The guard was stationed at a distance from the house in the street, until admittance had been three times refused. A bustle, and what appeared to be rattling of swords and fire arms, was heard in the house. The guard was then ordered up. When we got round to the other side of the house, all was quiet, and there was no light except a candle burning in one of the rooms. We then ascended a high flight of steps to the porch, while the guard remained at ordered arms below. After remaining some time, and making frequent fruitless enquiries for col. Callava, whom we at first supposed had fled, we entered the hall. Upon entering the room where the candle was burning, we found col. Callava, but not as he states, "sitting on his bed." He rose instantly, and advanced to the middle of the room, with an expression of great astonishment, which was evidently assumed. In fact a variety of circumstances had evidently been studied and prepared on the occasion, for the sake of dramatic effect.

The means that were taken to procure the papers are detailed in our report. I assert that it is utterly false that it was ever said to col. Callava by us, "that, unless he gave up the papers mentioned in the list, he should be forcibly taken to prison." It was distinctly stated to him, that if he would open the boxes, which were then in view, and had recently been covered with seals, we would select the papers, and he might consider them as forcibly taken from him, and a receipt should be given for them. It was impossible that, under the circumstances, greater delicacy and forbearance could have been observed towards him. More than an hour had elapsed before the officer of the guard, every effort to obtain the papers from him having been exhausted, was called upon to do his duty.

I have thus far confined myself in a great measure to the refutation of those parts of col. Callava's statement in which I am personally concerned. I pledge myself on some future occasion to shew that the remainder of this extraordinary publication is equally at variance with truth and candor. And when a full exposition of the whole affair shall be made, founded upon evidence the most unquestionable, it will then be seen with what propriety col. Callava appeals to the sympathy and justice of the public, and whether he has not been guilty of a lamentable rashness in staking his head upon the truth of his statement. It is true he exposes himself to no real danger in making such a pledge, however *sounding and theatrical*; but true dignity and concious honor call for no such extravagant asseverations.

J. C. BRONAUGH.

The foregoing, having been submitted to me by Dr. Bronaugh, I do hereby certify that the facts and the circumstances therein related by him, as well his joint report with col. Butler, are strictly true and correct, having had a personal acquaintance with the whole transaction.

H. M. BRACKENRIDGE,

Alcalde of Pensacola.

I certify that no conversation took place between col. Butler and Dr. Bronaugh with col. Callava, at my house on the 22d of August, and that neither col. Butler or Dr. Bronaugh were in my house on that day.

GEO. M. BROOKE.

Pensacola, Sept. 23, 1821.

GOV. COPPINGER'S PROTEST.

FROM THE CHARLESTON COURIER.

The following is the statement and protest of gov. Coppinger, on the subject of the late proceedings at St. Augustine.

Colonel Joseph Coppinger, of the Spanish army, late governor of East Florida, and commissioned by his government to deliver up the province to the United States, in conformity to the treaty concluded at Washington, on the 22d of February, 1819, feeling desirous to gratify the public expectation upon the fact of his having been forcibly deprived of the government archives, which were under his charge, together with his private papers, and the archives of the escribano, which last, according to the stipulations entered into with col. Robert Butler, commissioner on the part of the United States, remained subject to the future and conventional decision of the two cabinets, would wish to make known, that he will not be permitted, by the short stay he intends to make in this city, to lay before the world a statement of facts in his own justification, supported by proper documents, which should convince all men of the outrage committed by the immediate orders of the secretary, acting as governor of St. Augustine, W. G. D. Worthington, and which orders, as he was informed, emanate from general Jackson. This exposition or manifesto he designs to make as soon as he reaches the point for which he will shortly set out; and in the interim, in order that some idea may be formed of the above mentioned occurrence, he publishes the solemn protest which he made on the spot, hoping that, if any doubts should still be entertained by those unacquainted with the particulars, they will be cleared up and removed when his manifesto shall appear.

(COPY.)

*United States of America,**City of St. Augustine:*

By this public instrument of declaration and protest, Be it known, that, on this second day of October, in the year of our Lord one thousand eight hundred and twenty-one, before me, Thomas H. Penn, of St. Augustine, notary public, personally came and appeared the Spanish colonel, Don Joseph Coppinger, commissioner on the part of his government for the delivery of the province of East Florida to the United States of America, conformable to the treaty of cession concluded upon between both nations, who, being duly sworn on the holy evangelists of Almighty God, did depose and say, that this day, at four o'clock P. M. there presented themselves at his dwelling house, the mayor, col. Forbes, the attorney general, John G. Bird, and the sheriff, John Hanham, who made a demand of the archives and papers which remained in his possession, they being, as they stated, commissioned by their government; and that they were answered that in no wise could the aforesaid delivery be acceded to, because the archives remaining in his charge were those containing the correspondence of his government, which had been carried on by himself and the preceding governors, relative to the employs filled by the respective functionaries and persons; that he had no documents which had any relation, directly or indirectly, with the property and sovereignty of the nation; and, in one word, that the said archives were a particular property, which he was bound to deliver to his captain-general, and positively excluded by the treaty; that there were also some of his own papers amongst them; therefore, he repeated, that in no

wise could he deliver the said archives; that the archives of the notary remained subject to the respective decision of both governments, as had been stipulated with the American commissioner, colonel Butler, as appears by the correspondence and agreement which both made, and most positively expressed in the acknowledgement of the delivery, for which reasons he ought to continue in the same capacity he now holds, until the conclusion of the aforesaid determination; and that the aforesaid col. Forbes insisted upon the delivery of the archives, as he had positive orders, which he must inflexibly fulfil. The deponent again repeated, that he would not in any wise do so voluntarily—and if the American government, contrary to the rights of nations, against the inviolability of his house, and the particular property of his nation, and of himself, should take by force, by which mode alone could they obtain them, that he protested solemnly against such an attempt, contrary to the laws of nations, the protection of individual security and property, and more especially in the present case, wherein the aggression was directed against the rights of his person, in which he represented his government, by virtue of his office as commissioner for the cession, which was not yet even concluded: and upon his persisting in this refusal and firm determination, notwithstanding all the arguments which were urged to him, the sheriff went out, and in a very short time captain Bell, with Mr. Gay, came in and made similar representations, producing a paper which they said contained the order of general Jackson to proceed in that manner; on which this deponent referred them to what he had already stated, and repeated that he protested against the attempts which already appeared to have been begun: this protest was made in the presence of the American gen. John Geddes, his son, major John Geddes, and a resident of this town, don Joseph Mariano Hernandez, who, at this time were in his house; and that, after various altercations, which were reciprocally made between the parties, the execution of the order of gen. Jackson being insisted on by one party, and by this deponent the injustice and violence which would be committed by the performance thereof; he maintaining always, that by force alone should the required archives be taken away; they then went to where the office was, and, finding the door locked with the key, they forced it open, and, without any participation on his part, proceeded to take away all the papers and documents therein, carrying them out of his aforesaid house, in boxes, which had been placed in the said office for the purpose of having them carried to the Havana when his commission should be completely fulfilled; that after it had become dusk he went down from the upper floor, where he had remained, to the office, accompanied by the aforesaid general Geddes and his son, don Joseph Hernandez, and other persons, and found the door forced at the lock, and the papers carried away; and this deponent further alleges, that, at the same time that this outrage was committed in his house, he was informed by don Juan de Entralgo that they had removed from his, in the same manner, by order of the government, the archives, his own property, and amongst which were those of particular individuals of East Florida, the same being denominated the notary's archives, which had been left subject as is before stated to the mutual decision of both governments; whereby the contract has been violated which was made between colonel Butler and this deponent. And he further saith that, without prejudice to the pre-

test which the said don Juan de Entralgo has made, this deponent likewise declares, in discharge of his responsibility, that he reserves to himself the right of representing against each one, and all the persons who are, and ought to be responsible for the violences committed by the seizure of both archives, that they may be adjudged conformable to the constitution of the United States of America, and other laws, protecting private property and the rights of dwellings from being forcibly entered into, broken, or any violence committed therein, or upon the persons inhabiting the same, they living under the immediate protection of the American government, either as persons who, in a public character, enjoy privileges, or as private individuals.

Wherefore, the said don Joseph Coppinger declared to protest, and I the said notary aforesaid, at his special instance and request, have protested, and by these presents do most solemnly protest, against all the consequences, damages, and prejudices, which have or may occur from the foregoing proceedings, and against all persons concerned therein, and against all losses that may be sustained for or by reason or means of the aforesaid proceedings, or otherwise relating thereto.

All which matters and things were declared, alleged, and affirmed, as before is set forth, in the presence of the said notary; and therefore I have hereunto subscribed my name and affixed my notarial seal, being requested to testify and certify the premises. Thus done and protested at St. Augustine aforesaid, the day and year above written.

THOMAS H. PENN,

*Notary public for the city of St. Augustine,
and county of St. John.*

UNITED STATES OF AMERICA, }
City of St. Augustine. }

John Geddes, senr. John Geddes, junr. and Joseph Mariano Hernandez, named in the foregoing protest, being severally and duly sworn, upon the holy evangelist of Almighty God, do severally make oath and say, that the circumstances therein stated, as having taken place in their presence, are, to the best of their knowledge and belief, in substance, correct.

JOHN GEDDES,
JOHN GEDDES, jr.
JOSEPH M. HERNANDEZ.

Sworn by all the said deponents, this 5th day of October, 1821, before me,

THOMAS H. PENN,

*Notary public for the city of St. Augustine
and county of St. John.*

☞ We should have added to the preceding, if we had received it in time, an address of gov. Jackson to "the citizens of the Floridas," written in his usual nervous and perspicuous stile. He sets forth at length his reasons for seizing the documents and papers—"they were necessary to establish the right of property"—and "no alternative was left" him, than to act as he did, in the line of his duty, &c. But we shall give the address entire in our next. In the conclusion, the governor announces that he shall be absent from Florida for a short period, and notifies the people that Mr. Worthington, as secretary of East Florida, and colonel Walton, as secretary of West Florida, are clothed with all the powers appertaining to the late Spanish governors, and charged to maintain and protect the citizens, &c. and instructed promptly to punish violators of the laws.

Legislature of Tennessee.

GOVERNOR'S MESSAGE.

*Fellow citizens of the senate, and
of the house of representatives:*

Entering upon the duties of the office to which I have been recently called by the people of Tennessee, I should do injustice to my own feelings were I to omit the expression of my gratitude for the flattering confidence to me, which they have on this occasion manifested.

A recollection of it shall operate as an additional and constant incentive to an industrious and faithful discharge of my official obligations.

Your body has already been sometime in session. At the commencement of your labors, a communication was made you by my predecessor, whose acquaintance with the past and present situation of this state and its government qualified him to enter into detail with respect to some subjects of which I of course am unable to speak particularly, and this I am happy to say renders it less necessary for me to occupy so great a portion of your time.

There are some other subjects, however, with the result of your deliberation, upon which, should they be taken into consideration, as they probably either have been or will be, the best interests of the state are so nearly connected, that I cannot, as I conceive, consistently with the duties which I owe our common constituents under the constitution, withhold my opinion upon them. They shall be frankly given in as few words as possible. It is for your body to decide to what consideration they are entitled.

The pecuniary embarrassments under which many of our citizens labor, (and what is intimately connected with them), the state and prospects of our circulating medium, constitute one important subject for your investigation. Can any law be passed for the relief of the unfortunate debtor, consistently with the constitution and with the permanent interest and respectability of the state and people for whom you are legislating? If this can be done, the honest, the liberal and the enlightened will concur in opinion that you ought to pass such a law without hesitation.—Every feeling of my heart would prompt the recommendation of its passage, could I see the path, to a practicable scheme, clear of insurmountable obstacles. The whole community, being concerned in the event of your decision upon this subject, each individual is too apt to adopt and support that view of it which comports best, as he conceives, with his own private and present advantage. It is for us to enquire for and decide upon the course to be pursued, with a sacred regard for the constitution of the country, on the one hand, and a respectful attention, on the other, to the true and lasting interests of the great body of the people.

The propriety of passing a property law, as a measure of relief, has its advocates. If by a property law is meant a law, which shall compel the creditor to receive in payment property at valuation, all will agree that such a provision would directly violate that section of the constitution of the United States which forbids the individual states to make any thing but gold and silver coin a tender in payment of debts. But the supporters of this species of relief disclaim any wish for such a provision. The plan they generally propose, as I understand it, is to have property, upon which executions may be levied, valued, and then exposed to sale. If some fixed proportion of its value be offered, it is sold. If an offer be made to that

amount, it is then to be left to the option of the creditor, either to take it at that proportion, or to wait for a time to be ascertained by law, upon being secured by his debtor. As the creditor is not compelled to take the property at all events, there is as it appears to me no substantial difference, as to the question of constitutionality between this mode of relief and another which has been advocated by some, and which is usually termed a *replevin* in law. The effect of this latter, as I apprehend, is to stay executions in the first instance for a given time, upon the creditors being secured. Each plan being equally liable to any objection growing out of the constitution, I should not hesitate in giving preference, of the two, to the former. That affords to the creditor the opportunity of getting property at once, and at less than its appraised value, which sometimes might be preferred to delay, and to the debtor the chance of preventing the great sacrifice of property which would result from a sale for cash, when perhaps he might not be able to give security to a *replevin* bond.

But the great questions, with respect to both these laws, remain unanswered. *Are they constitutional? Are they consistent with the permanent interest and respectability of the state?* That the legislature can constitutionally regulate the mode of recovery, and prolong the time for payment allowed to judgment debtors, as to contracts made after the passage of a law, I find among legal characters there is no doubt;—but there seems to be some difference of opinion as to contracts made previously. The better opinion seems to me to be, that such a law does impair the obligation of pre-existing contracts, and injures the creditor by operating retrospectively, and, of course, that it is unconstitutional. From the best view of the subject which I have taken, I am also well satisfied, that such laws would not advance the real interest and character of the state.—And their tendency to benefit, in a majority of instances, even the debtors themselves for whose relief they would be passed, is, when we consult experience and look to the nature of man, at least, extremely questionable. Such is the procrustinating disposition of the human race, that, when the evil day can be deferred, it is rarely thought of until it again arrives with accumulated calamity.—The unfortunate debtor is raised for a moment by a *stay* or a *replevin*; but, at every new plunge, he sinks deeper into the mire—and, in all probability, carries with him, the second or third time, two or three of his unsuspecting neighbors, who, trusting to his over sanguine calculations, have incautiously become his security.

It has been intimated by some, that the emission of paper money, corresponding in amount with the wants of the people, would be sound policy in the present emergency. The evil consequences resulting from a measure of this kind are too numerous to attempt their detail. In the present situation of the world, the commerce of the state will always command the quantity or amount of sound circulating medium necessary for it. But when the flood-gates are thrown open, and you commence inundating the country with a paper currency, there is no knowing at what point to stop; there is no safe criterion to regulate its emission. The moment you issue more than is necessary, it depreciates; and, of course, the price of every commodity in market, and every species of property, is increased, in a ratio corresponding with the amount of paper put in circulation. So that a circulating medium is acquired which will not pass at par beyond our own neighborhood, which will not, there-

fore, answer the purposes of commerce, without an enhancement of the wealth of the community, and the benefits resulting to the debtor class of society from such a course are, in my opinion, frequently exaggerated. Such of these as owe debts, heretofore contracted, and have property, would doubtless be aided by a nominal rise of its value, and would be probably enabled to effect more advantageous sales, if, with the proceeds, they could, at once, satisfy their creditors. But, on the other hand, through a want of confidence in the banking institutions, proportioned to the amount of their issues, and through a want of confidence in one another, much capital is withdrawn from circulation by private individuals. Every specie dollar that can be obtained from the vaults of the banks is seized with avidity and hoarded with care; even the better sort of bank notes, if there be any supposed difference between them, are cautiously laid up. And the circulating medium is much less sensibly augmented than would, at first view, seem probable.

The debtor, in common with his fellow-citizens, would be subjected to many other disadvantages from the issuance of a large quantity of paper money. From the fluctuations in its value, and the deceptions that are frequently practised in the passage of it, almost every individual, through whose hands it would pass, would sustain a loss, and very frequently heavy losses. And really I can see no beneficial effect it would have to remunerate society for the injuries it would occasion.

Gold and silver, by the common consent of mankind, are made the representatives of every species of property. They pass every where. They may be said, in one sense, to have intrinsic value. Bank notes are merely the representatives of gold and silver. Seeing that none of the banks in the state do now pay their notes, according to their contracts, in that which has intrinsic or general value, in gold or silver, upon what principle of honesty is it that those banks could be required to issue a large additional quantity of notes?

But, in legislating upon subjects of this sort, it is important that we should not trust to theory alone. If we consult experience; if we look to the history of our own country, we find that a state of embarrassment, very similar to what we have experienced for the last three years, and produced by similar causes, existed after the close of the war of the revolution. Relief measures were then adopted by many of the states; but they were sooner or later abandoned, with a solemn conviction, that, in nine cases out of ten, they served to increase the difficulties they were intended to remedy, and (to use a borrowed expression) the "conviction was then impressed on that portion of society, which had looked to the government for relief from embarrassment, that personal exertion alone could free them from difficulties; and an increased degree of industry and economy was the natural consequence of such an opinion."

The cultivation of industrious habits and the practice of rigid economy are the only means by which individuals generally can be relieved from pecuniary embarrassments.—*A determination on the part of the people, to promote agriculture and domestic or household manufactures, and to lessen the consumption of foreign goods of every description, will soon relieve the most of the community from the present pressure.*

To give permanent relief to the country we should keep steadily in view the necessity of restoring a sound currency; I do not consider it advisable, that this should be effected by an immediate

resumption of specie payments on the part of the banks. Banks of themselves have no claims upon the regard of the legislature or the people, but it is worthy of very particular consideration, whether, under present circumstances, any legislative blow aimed at them, with a view either to their extinction or to a coercion of immediate payment by them, would not recoil with redoubled force upon the people.—Suppose that, under any penalty which the legislature might impose, they were required to resume specie payments at once, or in a very short time—they must call largely on their debtors for payment. The latter by this means would be compelled to call on and to press their debtors, and so of the last mentioned class—thus the operation would extend, in its different ramifications, through all classes of society. The pecuniary pressure would increase daily, while the means of making payment would be daily diminished.

It is urged by some, that a consolidation of the different banking institutions would restore the currency to a sound state. A measure of this kind could not be effected without the consent of at least a majority of the stockholders of each institution. And it is scarcely a reasonable calculation, that among the number concerned, there would be a sufficient sameness of opinion to produce the desired result. But, if there should be, would it be wise policy to subject the monied capital of the state to the control of a few individuals, who might compose a directory? or would it add to the strength of the banks? Their strength consists in their solvency, if they are solvent and continue so, they have nothing to fear. If they are unsound, a union of unsound parts can never make a perfect whole. Would it not be better policy to let them remain as they are? Their supposed or really conflicting interests will excite their emulation, and their mutual jealousies, and society will have the benefit of them; each of those institutions will operate as a check upon the others.

The course which suggests itself to my mind as being the least exceptionable, and best calculated to promote the permanent interests of the state, would be to call upon the different banks for a report of their situation, upon oath, and at the same time to appoint a committee or committees to examine into the state of their business, if they be found to merit the confidence of the people, I would suggest that at this time no proceedings should be instituted against them, for the breach of their contracts contained in their charters; but that, in concert with them, and with their express assent, a day should be named, sufficiently distant to enable them to prepare for it without injury to the community, when they should all be required to commence specie payments under the penalties which the state has in its power to enforce—and it would be worthy of enquiry, whether a partial resumption of specie payments, for small sums, might not begin at an earlier day, than that fixed upon for general payment. By this course you will evince a disposition not to injure either the banks or the debtor class, while, on the other hand, you will shew to the note holders that you are deeply sensible of their rights, and that they shall not be long withheld. The community will see, in a course of this kind, a disposition not only on the part of the government, but of the banks also, to give to the country, as soon as possible, a sound and durable currency. Confidence will be restored. The present exorbitant rate of exchange will diminish—private capital will be loaned at moderate interest. The country

will be gradually relieved from embarrassment; and a wholesome state of things will ensue.

It seems to be the general opinion that some change in the present judiciary system of the state is indispensable. With the present organization, it is almost impossible for the courts to transact one half of the business before them, and the delay is so intolerable, that it is equivalent in many cases to a total denial of justice. The principal reason which is urged against any reformation, is the increase of expense to the state. This objection, it appears to me, is founded upon an erroneous and limited view of the progressive improvement of our country, the increase of business between man and man, and the real condition of society. By appointing judges of learning and experience, and a proper selection of their places of session, without requiring from them too great labors of the body to their disqualification for labors of the mind, thousands of dollars will be saved to the community. It is true that, in making up the accounts of the treasury, this economy will not appear to an inattentive observer—but to him who will reflect upon the time that is unnecessarily lost by jurors, suitors, and witnesses (who constitute a great portion of the people) by attendance upon incapable courts, lacking energy and despatch in the transaction of business, the consequent loss of industry, and the indolent habits that such attendance will infallibly generate—*this is most manifest.*

[Two paragraphs of a local nature are here omitted.]

Connected with a revision of the judicial system, would be an enquiry into our criminal code. The great objects of punishment are the reformation of the offender and the prevention of crime. The plan that will best advance these objects ought certainly to be adopted: to the attainment of the latter end, nothing so much conduces as certainty in punishment; and it is worthy of serious and anxious enquiry, whether a more lenient scale of punishment, bearing a just proportion to the magnitude of each offence, would not better answer the purposes than the present system. Under it, it is almost impossible to convict a criminal, however enormous a crime he may have committed. Such is the tenderness of jurors, that, when the life of a fellow creature is at stake, an acquittal is too apt to follow the discovery of a single circumstance in mitigation of the offence. There is no mode of punishment at which the reflecting mind so powerfully revolts, as whipping, cropping and branding. They never fail to have a bad effect on society and on the culprit. They are looked upon by the bystanders first with disgust and then with indifference. The offender who has lost his character at a whipping-post, having lost all that is valuable, feels himself insensible to infamy, and a spirit of revenge against the whole community, by whose laws he has been punished, stimulates him to the commission of new outrages. This consequence is avoided by private punishment. Nothing has so great a tendency to bend and overcome the stubborn and unruly passions of our nature, as solitary imprisonment, coarse diet and hard labor. These considerations prompt me to recommend that a penitentiary or state prison be erected for the punishment of offenders. It ought to be built at first on a small scale. Additions can be made as necessity shall require.

A proper organization of the militia has ever been considered important to the preservation of our liberties. It is a source of regret that congress, to whom the power belongs, have hitherto failed to adopt any general plan of discipline.—

They having manifested a determination at their last session not to maintain a standing army of much force in time of peace, it becomes the more necessary no longer to defer the effective organization and discipline of the militia. The opinion recently advanced with some plausibility, that no valuable end can be attained by disciplining the militia in time of peace, is certainly founded in error, and will not, I conceive, be supported by any officer of experience, who has been in the habit of training this species of troops. The truth is, much good has been done by this means and more can be. Victory may sometimes be the result of accident without any combinations of military skill; but no military operations ought to depend on accident. It is an obvious truth, that an immense sacrifice of blood and treasure may be traced to a want of discipline in the militia at the commencement of the late war. At the same time we can recur to some other scenes of that war for a practical exhibition of what can be done by this description of troops when well trained.

Too little attention has hitherto been paid to the duties of superior officers. The general officers ought, without fail, to review their respective commands at least once a year. This, of itself, would excite emulation among the different corps. It is probable, however, that more cannot at once be done than to offer inducements to young men to arm and equip themselves with cheap uniform, require them to perform more than ordinary duty for a certain number of years, and then excuse them from further duty except in case of war. I forbear entering into detail, but will, at all times, take great pleasure in affording any aid in my power to the military committee.

The attention of your body has, doubtless, been already turned to the subject of internal improvements. It seems to be a matter of great doubt, whether it is the duty of the general government, or whether they possess the power, to construct roads, open canals and improve rivers, unless in a few excepted cases. This makes it the more necessary that the individual states should go speedily and energetically to work. Tennessee is filled with numerous rivers that could, without much difficulty, be rendered navigable at all seasons. And when it is considered, that the country would, in a few years, be amply repaid for all expenditures by savings in transportation, and the ability thereby created of getting, at all times, to the best market, it seems reasonable that an early commencement of such improvements should meet with undivided support. Lands too will improve in value, and foreign capital will be brought to our own doors. If our means will not justify the immediate commencement of such a work, it is, at least, practicable to make a survey of the rivers and ascertain what the probable expense will be. It is a matter also worthy of enquiry, whether a fund might not be set apart out of the existing and anticipated proceeds of the sales of public lands, and the latter placed, as they rise, in the hands of commissioners of public works, to be selected from all parts of the state. The completion of an object so desirable must be the work of time; but, once completed, generations to come will reap the fruits of your enterprise.

The general diffusion of knowledge among the great body of the people is an object so consistent with the principles of our government, that it has a strong claim on the attention of legislative bodies. Some of the older states have so adapted their system to the various conditions of society, that every member of the community may acquire

a common English education; and when we reflect that genius and mental energy are as often found in the midst of poverty and obscurity as among the rich and well-born, there is every motive for the patriot and statesman so to direct his efforts, as to place within the reach of the poor as well as the wealthy, the means of education. What is the state of our school funds? What is the state of our college funds? I would repeat the recommendation of my predecessor, that these subjects be energetically enquired into by your body at the present session. As it will be my duty, so it will be my pride and pleasure, to make use of the opportunity afforded me by my situation, as far as possible, to answer these important enquiries; and any information I can obtain additional to those you may derive from other sources, shall be communicated.

In so numerous a body as that which I am addressing, it is not to be expected, that, on all occasions, there will be an unity of sentiment as to the course to be pursued. But, although there may be opposition to measures which may be proposed, that opposition should be tempered with moderation. Citizens of the same state—brothers of the same family—we should strive not to loosen the ties of fraternal affection by sectional jealousies. Actuated by this spirit, we may hope for the smiles of that superintending Providence in whose hands is the fate of states and empires.

WILLIAM CARROLL.

Executive office,
Murfreesborough, October 1, 1821.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

Before the king left Ireland, he himself invested the earl of Fingal, the great Catholic peer, with the order of St. Patrick—after this, he (the king) gave a splendid dinner to the knights, at which the lord lieutenant gave the toast: "*Lord Fingal and the Roman Catholics.*" It is the first toast of the kind that has been given in the presence of the "majesty of England," it is said, for the last 130 years, and is thought to be very "*significant.*"

The *Scotchman* says—"By an official account, recently printed, it appears that the value of our woolen goods exported, amounted, in 1810, to 10,200,000*l.*, and that it has since progressively declined, until in last year it only amounted to 6,279,000*l.* This extraordinary decline is chiefly ascribable to the prohibitory decrees of the emperors of Russia and Austria. Russia used formerly to import large quantities of our coarser woollens; but their importation, with the exception of such only as might be ordered by the government for the use of the troops, was strictly forbidden in 1815. The emperor of Austria has also prohibited the introduction of every species of woolen goods into Italy. And the ink was scarcely dry on the treaty by which we, in the teeth of our solemn and reiterated pledges to the contrary, made over Genoa to the king of Sardinia, than the petty tyrant properly rewarded our perfidy, by laying prohibitory duties, not on woollens only, but on *British goods of every description.*"

[Those who recollect the history of the base conduct of the British towards the Genoese, will excuse the ungrateful act of the "petty tyrant" in the justice of its operation on their "deliverers," the *Briish*.]

Clerical justices. A correspondent of the *Morning Chronicle* says "A printed paper which I have just seen, enables me to state that, at the late quar-

ter sessions for Devonshire, the magistrates present on the bench were two lords, two baronets, thirteen squires, and a *score of parsons!*"

FRANCE.

A disease, like the plague, is said to prevail about eight leagues from Paris, and to cause the death of many persons; no remedy for it having been discovered.

SPAIN.

According to the most recent letters from Madrid, the proceedings for the liquidation of the debt, are conducting on an extensive scale. Four hundred and twenty sales of the national domains, consisting of convents, monasteries, estates, and ecclesiastical revenues, have been made from 1st Jan. to 23d June, 1821.

Price of valuation, grand total, reals vellon, 31,067,444 15ms.

Sold for, reals vellon, 53,945,672, being about 2,700,000 dollars.

At that period many sales were going on but not quite finished. Many more sales were closed; but as 15 days are allowed for liquidation, they are not included in this statement.

The French editors appears so much to desire disturbances in Spain, as to be continually manufacturing conspiracies and riots. Letters from Madrid complain much of such acts.

PORTUGAL.

Tit. 2, Art. 21.—A Portuguese subject loses the right of citizenship—

"1st. When he is naturalized in a foreign country:

"2d. When, without order, or leave of the government, he resides in a foreign country during the space of five successive years, or accepts of a place or pension from a foreign government:

"3d. When condemned by judgment to prison, or to perpetual banishment."

NAPLES.

The following decree, which would have cost any man his head, in the time of the Carbonari, who ventured to propose it, is one of the fruits of the interference of the "holy alliance" in the affairs of Naples:

Translated for the National Advocate.

NAPLES, June 23d, 1821.

The *Diario Official* of the 18th contains the following decree:

Ferdinand, &c. &c. As the spiritual congregations, established in this capital under the direction of zealous ecclesiastics, have for their object the forming the hearts of the youth, by causing them to adhere to the maxims of religion and salutary morals; and as the sanctifying festivals, and frequenting the sacraments, must interest all the students, and, in a special manner, such as, living in Naples, far from their families, stand in need of a stimulus not to depart from the path of virtue; the secretary for home affairs having been heard, we have decreed, and do decree as follows:

Art. 1. All the students of the capital, who shall not repair on festival days to the spiritual congregations, will, by that fact alone, be prevented obtaining all rank whatever in the royal university of studies.

2. Besides the necessary documents to be graduated, the students shall produce a certificate of the president of the congregation to which they are in the practice of resorting.

3. The several masters, when they shall deliver to their pupils the testimonials of application and good morals, must likewise certify therein, upon the production of the president of the congrega-

tion's certificate, that their pupils have regularly attended the churches.

4. To the end that the students may repair to the spiritual congregations, lectures are expressly forbidden to be delivered on festival days.—On such days, rehearsals, experiments, anatomical operations and literary meetings, as well in the royal university as in the Lyceums, colleges, and public and private schools, are likewise prohibited.

(Signed)

FERDINAND.

GERMANY.

A prince of Hohenlohe has been playing the part of a worker of miracles—healing the sick, giving sight to the blind, hearing to the deaf, &c. &c. It appears that this gift, like that affected in favor of "legitimate princes," is an imposition, and the police had taken some steps to expose his "royal highness."

SWEDEN AND NORWAY.

A letter from Stockholm, of the 28th of August, mentions another instance of the bold and independent spirit that influences the diet of Norway. The upper house of assembly have caused proceedings to be instituted in the court of the states against two of the ministers for mal-administration, viz. count Wedel Jarlsburg, head of the finance department, and count Fasting, chief of the department for the navy.

TURKEY.

We have the details of certain proceedings of the Turkish army in the Morea—The Greeks were defeated with the loss of 3,000 men, that were killed by the sword, or perished in the flames of a village which they defended.

Many particulars are also given of the great sea-fight between the Turkish and Grecian fleets. It appears that the admiral of the latter had the address to make the commander of the former believe that he was flying to America, with the people of Hydra and other islands. The Turks then advanced boldly, determined to exterminate the rebels, and were encountered by the Greeks, who seem to have annihilated or captured both the fleet and army, which consisted of 4 ships of the line, 5 frigates, 4 corvettes and 30 other vessels, and 13,000 troops, intended to reduce certain of the islands. This event had caused much consternation at Constantinople and provoked many outrages and murders there. It appears that a Greek woman, named Bobelina, has a fleet of 45 gallees, with which she is cruising in the neighborhood of Rhodes. The war is still a war of extermination.

The Turks, previous to the defeat of their fleet, (we suppose) landed at a place called Ivali, where they murdered 700 Greeks and carried off many women as captives—the latter were sold as slaves in the public market at Smyrna, at about 20 dollars each.

Between 2 and 300 Greeks were murdered at Constantinople, on receiving the news of the destruction of the Turkish fleet. It seems perfectly understood in this capital, that the British and French, on the one side, and the Russians and Austrians, on the other, act in concert. The expectation of maritime aid from the Barbary states had failed.

Symptoms of the plague have appeared among the Turkish Asiatic troops at Constantinople. An insurrection is reported in Servia.

The baron Dalberg, at Frankfort, in Germany, has given notice that he will enlist a corps to make a campaign in Greece, of such persons as receive the assent of their governments to join the expedition.

Declaration sent by the Messinian senate of Calcutta and the commander in chief, Mayromichale, to the governments of Europe.

"For above a century the Peleponnesus has groaned under the tyranny of the Turks. This tyranny has grown daily more oppressive, and has at length so bowed us down that we hardly retain strength enough to utter our sighs. Despair has seized us, and we have, with one accord, taken up arms to throw off the yoke of slavery. Immediately all the seeds of dissention which despotism constantly cherished among us were destroyed by the glorious influence of freedom. Our arms already reach the barbarians who had loaded them with chains. Our feet, wearied night and day by exorbitant labor for our lords, now tread the path of honor to regain our rights. Our heads, long bent beneath an iron yoke, are again raised and supported, and encouraged by the national feeling. Our mouths, which dared not open before our tyrants, except to express humble complaints, now make the air resound with the cry of 'liberty!'"

"This liberty, the blessings of which we already begin to taste, we will either maintain or perish with it.

"Never was a cause more just, more holy, than ours; we fight for our sacred religion, for our lives, for our honor, for our property, which our oppressors have never respected. The soil, honored with renowned heroes, by the understanding and virtues of our forefathers, and which, alas! has so long been bedewed with our tears, this soil belongs to us; it is our patrimony.

"All Europe is indebted to it for its arts, its sciences, its knowledge, and for all its blessings of civilization. Enlightened nations! Enlightened governments! the time is come to pay your debts to Greece, our country. We ask of you only counsel, arms, and pecuniary assistance, and we will gratefully return them: the glory of our benefactors shall be as durable as that of Greece.

"Given at the head quarters of the Spartans, March 25th, 1821, (O. S.) [Signed]

"THE MESSINIAN SENATE of Calcutta.
"P. MAYROMICHALE, *Com. in chief.*"

An article from the "*Mouth of Catara*," dated May 17th, thus describes this senate: "Twelve principal chiefs direct the general insurrection of the Morea. Their council is held in Messina. They have begun to establish a little order in the raising of contributions, and in the formation of corps of troops."

EGYPT.

A letter from Alexandria, dated July 25th, says: "The immense quantity of grain which has been sent in the course of the present year to Constantinople, has induced me to ascertain as nearly as possible, how much that capital imports annually from the land of Egypt. I subjoin the result of my researches, as a sort of statistical account, which will prove to you the richness and fertility of this country.

Wheat, 1,500,000 quintals, (ancient weight of France); pulse, 900,000 quintals; grain, of different sorts, such as maize, lentiles, lupins, &c. 950,000 quintals; rice, 700,000 quintals; flax, 50,000 quintals; hemp, 15,000 quintals; linseed oil, 12,000 quintals; saffron, 22,600 quintals; indigo pastel, 2,000 quintals; soda, 60,000 qtls.; nitron, 1,000,000 quintals; salt of nitre, 50,000 quintals; wool, 50,000 quintals; raw and refined sugar, 33,000 quintals; hides, raw and dressed, 40,000.

There have been exported, up to this day, for Constantinople, 600,000 quintals of wheat, and

400,000 quintals of rice. These exports, it is affirmed, have already doubled those of ordinary seasons, and the governor is afraid that not one half of them has reached its proper destination. He has been at least informed, that several cargoes and entire convoys have been intercepted by the Greeks.

Many persons have wished, at the departure of vessels laden with grain, that they might never reach the ports to which they were consigned, and that their cargoes might be divided between the two hostile camps. It would appear that their wishes have been realized.

It is doubtful whether Mahomed Ali could have furnished such a quantity of provisions, if he had not been public spirited enough to complete the line of inland navigation from Damanhourt to Alexandria, and which enables the boats to dispense with the dangerous passage across the bar of the Mediterranean.

The grain sent annually to Constantinople is not the only tribute which the pacha is obliged to pay to the Ottoman Porte. He is also bound to find subsistence, (for a specified number of days), to the great caravan which passes every year from the coast of Barbary to Mecca, and to those which set out every third year, from the states of Morocco for the same pilgrimage. The subsistence of the holy cities of Medina and Mecca, is likewise supplied by Egypt, and it is Ali who regularly sends a competent gratuity for their consumption.

BRAZIL.

More recent accounts from Pernambuco present us with a view of the horrible state of anarchy and confusion that reigns there. The royalists, or Portuguese people, held a part of the city, having abandoned the rest, from fear of the country people, who were in great force and close at hand. It was supposed that they would soon amount to near 10,000 men. There had been some terrible rencounters between the parties, followed by the murder of men, women, and children—in one instance, the persons massacred by the royalists are said to have amounted to between 3 and 400. A severe retaliation was expected—and hence the great alarm in the city, wherein every person capable of bearing arms had been put in requisition.

CHRONICLE.

Gen. Brown, we are sorry to learn, has been severely attacked by the palsy. Hopes are entertained of his speedy recovery. It occurred at his residence in New York, just as he was about to leave it for Washington.

The mail, proceeding from Baltimore for Philadelphia, was robbed near Elkton, by a person who had taken his seat as a passenger in the carriage, at Havre de Grace. Seated behind the driver, he knocked him down, and, while he was stunned by the blow, secured him, then drove the carriage off from the road, where the mail was found rifled and the driver bound fast. It is believed that the robber has some accomplices. Three persons were arrested at Wilmington on suspicion, but discharged. The affair occurred on the night of Thursday last week, and as yet the robber is not taken. We learn that for this desolate part of the mail route a regular guard will be established.

"*Mr. De Kancor*, late resident minister in the United States from the court of Sweden, has received from his royal master, as a mark of his high approbation, the right and title of baron of the kingdom."

A politician, like Sampson, must carry his strength in his head, not in his arms.

Munificence. Gen. Stephen Van Rensselaer has subscribed 500 dollars per annum, for three years to come, to the Albany county agricultural society. He has contributed the same amount for the last three years.

Again! Another, the seventh! attempt was recently made to elect a member of congress for the second district of the state of Vermont. This election is said to have cost the district from 12 to 16000 dollars.

Georgia. The governor of this state is elected by the members of the legislature, and there has lately been a very warm contest about the choice of them. The candidates for the gubernatorial chair are gen. Clark, the present incumbent, and col. Troup. The Savannah "Republican" says that a majority of those elected are friends of the latter; but the "Georgian," published in the same city, gives a list of the counties and shews a majority for the former. These things would not have been noticed but because the name of Mr. Crawford, secretary of the treasury of the United States, has been curiously brought into the contest—gen. Clark being regarded as his inveterate enemy, and col. Troup as his decided friend; but what amuses us is, why the *secretary of the treasury* should have any thing at stake in the election of a *governor of Georgia*—we know not how to suppose that he has interfered in the contest—the people have, most probably, carried the personal feelings of the secretary and governor into it, of their own accord.

Murder. A person in Suffolk county, Virginia, was lately killed by a quack, who administered to him so powerful a dose of opium that he was found a corpse by his wife when she awoke at his side the next morning! The fellow was taken into custody.

Erie Canal. It will be recollected that what is called the middle section of this canal is navigable the fine village of Utica stands near the lower end of it, and the papers there every week notice the arrival and departure of boats, &c. During the week ending on the 23d ult. 30 boats arrived with 602 bls. of flour, 372 do. salt, 74 do. pork, 114 do. ashes, 1387 bush. wheat, 1198 gals. whiskey, and quantities of coal, boards, brick and timber. On their departure, they took away 128 tons of merchandise and many passengers.

Whale fishery. A ship has arrived at Nantucket, from the Pacific ocean, with 1200 barrels of oil. She reports *forty-one vessels belonging to that port*, that were on the coasts of Peru and Chili, and on the N. W. coast, with from 2000 barrels of oil to smaller quantities, according to time and good fortune.

Slaves. The Louisiana Advertiser of the 11th Sept. says, "along the frontier of the state of Louisiana, there is at this moment almost every species of smuggling carried on—*slaves are brought in by dozens.*"

Harvard College. From the triennial catalogue of the graduates of this ancient seat of learning, just published, it appears that 4972 persons have received its honors; that 4622 have procured the degree of bachelor of arts. Of the last number, 2880 are numbered with the dead; 1225 were ministers of the gospel, of whom 307 are still living. The oldest living graduate is the venerable Edward A. Holyoke, M. D. LL. D. who received his

first degree in 1744—75 years ago, and is still living, active in his profession, and one of the most distinguished physicians in the United States. Of the six next classes who succeeded him, there is not one living. Of the class of 1753, there is but one; of 1754, none; of 1755, two, president Adams and judge Sewall; of 1756, three, one of whom is our respected and venerable townsman, the hon. Timothy Walker, who is now the sixth living graduate on the catalogue.

Concord (N. H.) Observer.

Bitumen. There is a well about 70 miles west of Cumberland Gap, in Wayne county, Ken. on the Big South Fork of Cumberland river, which throws up daily about three or four hundred gallons of a fluid matter, having the appearance of tar. This bitumen has not been analyzed, and, of course, its value is not yet ascertained.

Old times. In the reign of Edward the first of England, the price of a fair written bible was 137. The hire of a laborer was *three half pence a day*; the purchase of a copy would, of course, have taken such a person the earnings of 4,800 days, or 13 years and 55 days—and, excluding the Sunday's, something more than 15 years and 3 months of constant labor would have been required to compass the price.

Beggars. Of the 273,000,000 of individuals who inhabit Europe, there are said to be 17,000,000 of beggars, or persons who subsist at the expense of the community, without contributing to its resources.

Gor Thur, a new variety of the wild ass.—The marquis of Hastings, governor general in India, has received as a present from the nabob of Bhaw-wul-pur, a wild ass, of the species called Gor Thur by the Indians. This beautiful animal is from 11 to 12 hands high, has long ears, black eyes, and is of a chamois color. He is not to be tamed, and in this and many other respects, he resembles the African Zebra. He is represented as a most finished model of beauty, agility and strength.

Great oxen. Col. Chapin, of Springfield, Massachusetts, famous for his success in fattening oxen, now has three, of which the following are the weights:

Largest ox	3028 lbs.
Mate	2709
Four year old steer	2156

Winchester, Va. October 13. On Tuesday last came on for trial in the superior court of this county, the suit of *Mildred Thatcher vs. Thos. Buck and Ann his wife*, to recover damages for propagating a slanderous report. The counsel for the plaintiff represented her as young, beautiful and accomplished; and the counsel for the defendant urged how hard it was for a man to pay for what his wife chose to speak,—that it was founded upon a most arrant fiction of the law that the wife was under the control of her husband. Damages 1500 dollars.

Slander! Some years ago, a witness was examined before a judge, in an action of slander, who required him to repeat the precise words spoken by the defendant. The witness he stated, had affected some embarrassment till he had fixed upon himself the attention of all who were in court, and then with apparent reluctance went on;—he said—May it please your honor—you lie, and steal, and get your living by cheating! Turn to the jury, if you please—exclaimed the judge.

Portsmouth Journal.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FLORIDA. We now give governor Jackson's address to the citizens of Florida, and insert a publication of the Spanish officers, on their departure from the territory, in obedience to his orders.—There are many other papers that belong to the transactions that have taken place, but we think that room enough has been given to furnish a history of them.

The governor's address presents a powerful justification of his conduct. He seems to hold a pen or the sword with equal ability. We think that he has done the right—but some believe, or at least say, that it was done in a wrong way.

FOREIGN NEWS. We have some very important items of foreign news, though they do not come from *Europe!*—the events of which quarter of the world seem to have assumed a sovereignty over the public and private prosperity of the people of the United States!—yet these really are, or at least ought to be, more interesting to us than if such results as must flow from them had happened in that portion of the world to which the opened eyes, ears and mouth of our nation is directed, eager to hear of revolutions, war, famine, murder—any thing that may create misery to support our commerce, stimulate our exertions and—supply the public treasury! We seem as if almost prepared to keep out of view its hateful deficiency, by dollars coined out of the blood of widows and orphans. There is less of metaphor than of truth in this—and it highly becomes a "moral and religious people" to be so conditioned!!!

The strong fortress of *Carthagena*—the last place of consequence that remained in possession of the royalists in Colombia, has been surrendered to the patriots, and the war in this great and delightful region of country may now be regarded as at an end. Another *Washington* has hewed out the path of another country's glory, and the hope may be well entertained that the United States will not constitute the only republic—remain the only section of the world wherein it is acknowledged that men possess certain "natural and unalienable rights"—among which are life, liberty, and the pursuit of happiness."

Several corroborating accounts assure us of the fall of *Lima*, and with it the separation of Peru from the royal authority. This rich and extensive country may very soon assume an important rank among nations, if the people have wisdom enough to discern, and energy sufficient to pursue, their true interests. Under the direction of *Chili* for a short time, we may expect to see, in 15 or 20 years, two powerful nations on the shores of the Pacific, in the enjoyment of liberty and in natural alliance with us.

Mexico, too, our neighbor, is evidently approaching, if she has not attained, her independence, though from the accounts received we do not yet clearly understand the relation of things in that country. The latest intelligence would lead us to believe that the contest is not quite over, but the general appearance of it warrants an undoubted belief that the *independents* must very soon succeed, if they have not already succeeded. *Mexico*, as a nation, on account of the number of her inhabi-

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tants, rich productions and internal and commercial advantages, with a liberal government and stable administration, might immediately start into existence as a nation as high in rank as Spain herself, and have a mighty influence on the concerns of the civilized world.

The extensive and productive country of the *Brazils*, too, is in such a condition as leads to a full expectation of the establishment of a free and independent government therein. Its population is also very large—larger than that of the United States at the termination of our revolution; and, if their natural advantages are wisely improved, we see no reason why this country may not advance almost as rapidly to greatness as we ourselves have done.

The provinces of the *Rio de la Plata* appear yet unsettled; but we cannot hesitate to believe that the pacification between *Chili* and *Peru* and the march of their people to happiness in the enjoyment of rational liberty, will induce those of these provinces to emulate and profit by the examples set before them.

Here then is, apparently, the establishment of several great or respectable independent powers on the *American* continent, with whom we shall most probably be united in feeling on the subjects that ought to be nearest to our hearts—and, however strange it may seem, we really do think that these united events are quite as important to us as "a week's rain or week's sunshine" in England!

FLOUR AND GRAIN. From all that we have seen and heard, there is no prospect that the British ports will be opened for the reception of our flour and grain: but what a stir would Britain make if our ports were closed! against her cloths and calicoes! Yet, why might not the one as justly be as the other? If not now, the progress of things in the United States will demand reciprocity as a right, or make it the duty of government to meet restriction with restriction. As friends to the freedom of trade, we prefer the former; but self-respect, as well as self interest, may dictate the latter.

There is an arrival at New York that gives Liverpool dates of the 22nd. Sept. No particulars of importance have yet reached us, excepting unqualified assurances that sales of wheat and flour were dull, and that the ports cannot open. They had fallen back to their old prices.

Some sales were made at Baltimore during the present week at seven dollars—the real price here this day does not exceed six and a half—and probably is less.

LAW INTELLIGENCE. We noticed in our last the decision on a certain case by Baltimore county court, which established the principle that the insolvent laws of the state of Maryland could only release the person of a debtor, and that all his property subsequently acquired, was liable for the payment of his just debts, as though he had not taken the benefit of the said laws. As this decision has excited the public feeling and caused no small degree of bustle among us, we give a report of the case, as furnished by the parties to it, to the editor of the "*Federal Gazette*." There is one great

hardship in the operation of the law, as now understood; persons who received the benefit of our insolvent laws were supposed to have been wholly relieved of the necessity of applying their subsequent acquisitions of property to the payment of their old debts, and hence only, in numerous instances, it was that they obtained new credits. It is entirely right that a man's property should always be liable for the payment of his debts; but, as the matter now stands, the property of others may be unjustly taken to satisfy claims believed to have been settled, and which, without that belief, would not have been trusted in the debtor's hands.

Peter Sauerwein	} Baltimore county court, Sept. term, 1821.
vs.	
Nicholas Brice, garnishee of Henry Freberger.	

This was an attachment on a judgment under the act of assembly of 1715, chap. 40. The judgment was obtained by Sauerwein against Freberger, subsequent to Freberger's release under the insolvent laws of Maryland, upon a contract entered into before Freberger's application for the benefit of those laws. The judgment was entered in the ordinary form in such cases, subject to the legal operation of the defendant's release, &c. Freberger afterwards absconded, and the plaintiff issued an attachment upon that judgment, and laid it in the hands of Nicholas Brice, esq. garnishee of Freberger. The garnishee plead in bar of the attachment, Freberger's final discharge from his debts under the insolvent laws of Maryland, alleging that the debt upon which judgment has been obtained against Freberger was entered subject to the legal operation of that discharge, and that the property of Freberger in the hands of the garnishee was acquired by Freberger since his discharge, bringing the case within the provisions of the insolvent laws of the state. To this plea in bar the plaintiff filed a general demurrer. The case was submitted to the decision of the court at March term, 1821; but it being intimated to the court that a case had lately been decided in the supreme court, which embraced this case, the court held the case under advisement until the September term, in order to see the case decided in the supreme court. The case being called up at the present term, and the court being furnished with the case decided by the supreme court, reported in 6, Wheaton, 131—(Farmers and Mechanics' bank of Pennsylvania, vs. Smith) they gave judgment for the plaintiff on the demurrer.

DAVID HOFFMAN,
Attorney for plaintiff.
DANIEL RAYMOND
Attorney for defendant and garnishee.

THE PIRATES, even yet, appear to be very busy, and generally successful, though it seems that two or three of them have been caught and hung at Matanzas. We notice the robbery of several vessels, under the most aggravating circumstances. These wretches most probably have a residence in Cuba, and, as the people and government of that island are deeply interested in stopping their ravages, there is reason to hope that, with the aid of our small vessels, this much desired purpose may be effected. It is reported that there are *eleven* piratical vessels cruising between Cape Maize and St. Iago.

The ink with which the preceding was written was hardly dry, before we met with the following gratifying intelligence from Havana, via Charles-

ton—the whole so stated that its truth seems undoubted. The ship *Lucies*, for Charleston from Liverpool, arrived at Havana on the 24th ult. in charge of a midshipman belonging to the U. S. brig *Enterprize*, captain Kearney. On the 16th of that month, this ship was taken possession of by four piratical vessels, off Cape Antonio (Cuba) who, after much abusing the crew, brought her to anchor in four fathoms water, where they had also in possession the brig *Aristides*, of Boston.—While they were engaged in plundering the ship, a brig and schooner hove in sight, which proved to be the U. S. brig *Enterprize*, and the schooner *La Centilla*, under the Colombian flag, commanded by Charles C. Hopner, both of whom, after due observation, opened a fire on the piratical vessels. These run for it; but five boats were manned from the *Enterprize*, and the result was that three schooners and one sloop were captured, and another schooner (fully laden with plundered dry-goods) was so closely pressed, that the wretches set fire to and abandoned her—she was consumed, but the pirates reached the shore. Captain Kearney also re-captured the British brig *Lucies*. The prizes and the pirates taken (who do not exceed 40) were ordered for Charleston, to await the awful award of their crimes. It is probable that this fortunate and well-managed affair will check, if it does not break up, piracy in this quarter, and will probably lead to a discovery of who they are that fit out and encourage these marauders, to whom the government of Cuba, we have no doubt, will render justice. We say—LET IT BE DONE.

It appears that the pirates, when the *Enterprize* approached them first, had the audacity to hoist the *red flag*. Captain *Hopner* seems to deserve much credit for the aid which he rendered on this occasion. To captain *Kearney* many thanks are justly due. Captain *Hopner* was in want of some supplies, which the captain of the *Lucies* was able and gratefully willing to furnish—but he would not accept them on any other terms than paying more than was asked for them.

Another, and what is apparently a later account, says, that only *one* of the piratical vessels was taken—yet the fact of the re-capture of the *Lucies*, &c. is confirmed. The robbers escaped to and landed on Cape Antonio.

THE LAWS! A report has been made to the city council of Washington, preparatory to an application to congress to extend the jurisdiction of magistrates within the District of Columbia, as to the recovery of debts. This report appears to have been carefully drawn up, after strict enquiry into the subject, and represents a most unpleasant and distressing state of things—as the following notices of some parts of it will shew.

The spirit of litigation has apparently increased exceedingly—perhaps, there is only more cause for its exercise. Six or eight years ago, when the population of Washington county was about 17,000 souls, the average number of suits on the docket did not amount to more than 350; now, with a population of 23,000, such suits exceed 1200. It is the present practice, it appears, to issue a writ against every person whose name has any connection with a case as endorser or surety—and a fact is mentioned in respect to a note given for *thirty-five* dollars, which passed through two hands and was brought to judgment, in the amount of *ninety* dollars, besides the costs of the defendants, about *fifteen* dollars more;—that is, the sum originally due was trebled by the operation of the law! It is

calculated that the amount obtained by plaintiffs in suits for sums not exceeding fifty dollars each, may be about 30,000 dollars per annum, on which the *costs* are at least sixteen thousand eight hundred dollars! This is a mighty tax upon the people, and we trust that congress will relieve them of it.

THE MURDEROUS TRAFFIC. Though we cannot approve the motive which prompts Great Britain to suppress the slave-trade, we are truly grateful for her practice in respect to it. We observe that two other vessels have been captured at Bonny, on the coast of Africa, by the boats of the Tartar and Thistle. One of them was a schooner of many heavy guns and an abundance of small arms, manned by about fifty "of the most desperate fellows unbing," as the account says, and great address, as well as some very severe fighting, was necessary to take her. She had Spanish colors, but her crew, by their language, were chiefly American or English, who appeared to be excessively alarmed at their condition, after capture, fearfully looking to their well-earned reward—the gallows. On board this vessel were 450 slaves, among whom the dysentery already prevailed, by which many had died, and the dead and dying were mixed together. The other was under the Portuguese flag, and, having only just commenced business, had only about 100 slaves on board. In the former, the women, who were said to be comfortably stowed compared with the men, had a room four feet high, sixteen feet long, and nine feet wide to sleep in—one hundred of them were crammed into this place, wherein the thermometer stood at 106°. We pray that in some of the captures made, evidence may be had to convict some of the principals in this nefarious trade. The execution of a dozen or two persons living in the United States, would do much to check it, and save hundreds of lives in a year. It is remarkable that the sharks, in great numbers, always hover round a slave-ship—which they "seem to know just as well as a well-bred pointer does his game."

"NOBILITY"—what is it? The Philadelphia Gazette curiously says—"There is a spirit almost what is termed nobility, in our navy, that is worthy of *unqualified admiration*." We do not know what is meant by "termed nobility"—but if it is that kind of nobility that we find among dukes and lords, we hazard nothing in saying that it will not last long—the people will annihilate it. But we trust that there is a *real* nobility in the navy to keep it in the good graces of those who support it.

DOMESTIC CLOTHS. A letter from Boston, recently published in the N. H. Patriot, says "There have been large quantities of American cloths sold in Boston within one month, and those of approved quality and color are much sought for, and the farmer and manufacturer will in a short time meet encouragement from the people, even if the government should not protect 'national industry.'" Wool finds a ready market in Boston. Our merchants have imported from 100,000 to 300,000 lbs. from Europe, as much as 100,000 fine sheep would produce. Can it be bad policy for them to encourage *American manufactures*, when they have made from twenty to fifty per cent. upon importing wool, instead of remitting their money to England or Holland to pay for manufactures which we can make at home?"

NEW LOOMS. "Warren's improved patent looms," are advertised for sale at Pittsburg—they are said to be quite simple in their construction and only cost ten dollars. "The utility of this loom is, that the cloth winds on the beam as it is woven, and the yarn is taken by the same process—a person accustomed to weave on this loom, can weave sixty yards per day. It can be extended to weave any breadth."

RAPID WORK. The (N. Y.) Western Farmer says that on the morning of the 16th inst. a full suit of clothes was made for a gentleman in Manchester, from wool in the fleece, in less than eight hours from the moment it was first taken in hand. The wool was picked, carded, spun, wove and dressed, at the Manchester factory. The work was commenced at 1 o'clock in the morning, and before 7, the suit was completed and worn to the fair and cattle show at Canandigua.

"THE FAMILY SPINNER," intended to supply the place of the common spinning wheel, lately patented by a Mr. Brown, of Rhode Island, is highly spoken of—it appears to be most happily calculated for family manufactures, and it is said will do three times the work of the old fashioned wheel with less labor and attention.

CHEAP GOODS. The Hartford "Times" thus notices a specimen of home-made woolen cloth—"It was a stout blue mixed, and the piece from which it was taken contained seventeen yards, which was manufactured complete for use, for a fraction less than fifty cents per yard; and the whole expense out, that is, carding the wool, dye stuff and the clothier's charge, &c. did not exceed thirteen cents per yard. The cloth being designed for common wear, and its durability being a principal object, it was neither sheared nor pressed, whereby not only considerable expense was saved, but its strength and durability promoted, and even its appearance is not the worse after a few weeks' wear."

A MISTAKE! It is noticed in a biographical sketch of com. Murray, recently deceased, that, when cruising, in the year 1799, in the Constellation frigate, in the West Indies, he was encountered at night by the British frigate *Magnanime*, of 44 guns, the captain of which, without shewing signals or using any previous ceremony whatever, fired a gun at him. The commodore returned this compliment by a *whole broadside*—and then, a *mistake* was discovered and rectified!

DR. ANTONMARCHI, who was Napoleon's physician at St. Helena, expresses his opinion without hesitation, that the death of the late emperor was caused by the climate.

COLONIZATION. A black man by the name of Creighton, who had accumulated considerable property as a barber, in Charleston, S. C. sailed from that port on the 17th ult. in his own schooner, the *Calypso*, for Sierra Leone, where he and his family and several other free persons of color have gone, for the purpose of settling and spending the remainder of their days. Creighton was the owner of several slaves, to all of whom he offered the choice, either to accompany him in his expedition, and have their freedom, or to be sold and remain in this country; yet, only one could be prevailed upon to proceed with him.—*N. York Com. Adv.*

"APPLICATION OF PRINCIPLES." When it was lately believed that, on account of a short crop of grain in England, the ports would be opened for the reception of American bread stuffs, an astonishing effect was visible on the countenances and manners of men. "Like grey-hounds in the slips, straining for the start," every one seemed to be gathering up his sinews and calculating his means to do business. A rise in the price of flour, it was believed by all, would give a stir to every thing—and the merchant and shop-keeper, mechanic and drayman—all that had houses to rent or lands to sell, or indeed any matter soever to dispose of—the productive and unproductive classes—expected better prices and better times. The maker of thimbles and the builder of ships, anticipated profit in the demand for our bread stuffs!—for it would make money "plenty!"

A silly fellow once conveying a bag of meal from the mill, was apparently engaged in the deepest reflection. A person asked him, what he was thinking about? "Why," said he, "there are some things that I do know, and some things that I don't know." An explanation being demanded, he returned, "I do know that the miller's hogs are very fat—but I don't know whose corn they are fed upon." Now, every body knows that a lively foreign demand for flour gives activity to all sorts of business in the grain-growing states, and seemingly benefits the whole union, but few persons know, or at least do not think upon the cause that produces the effect so much desired: which is simply a demand for the excess, that fixes a price, or value, on the whole quantity produced for sale.

To many of my readers it may appear useless to offer a remark by way of elucidating the important fact just stated; but there are others, perhaps, who have not estimated the consequences of excess and demand, that may be benefitted by a few calculations on the subject.

The whole amount of wheat, rye, corn, rice, oats, &c. annually raised, may be thus estimated:

For home consumption.	lbs.
For the support of 10 millions of people, at $\frac{1}{2}$ lb. each per day	1,825,000,000
distillation—16 million bushels rye, barley, &c. a 45 lbs. per bush.	720,000,000
hogs, cattle, poultry, &c. used as meats, and partly fed on grain	800,000,000
2 million horses, mules, working oxen, to average only 2 lbs. each per day	1,460,000,000
	4,805,000,000

For export, we may spare—	
1,500,000 bbls of flour,	
equal to	lbs. 262,500,000
Rice—about	65,000,000
	327,500,000

Aggregate, 5,132,500,000

The amount for export, then, stands to that of the consumption, as one is to fourteen, which is about the result of many calculations made on this interesting subject, and I have great confidence that the aggregate is as near the real quantity as we can expect to arrive at, though round numbers are freely used.

But a little part—a fifteenth part, of all the bread stuffs or grain that we raise, fixes the price upon the whole quantity sold, or exchanged for other commodities, as well in the domestic as for the foreign market; and the price of all these bread stuffs is regulated by the price of wheat flour. It

is the barometer of them. We shall soon see how a foreign demand, or the want of it, for the surplus raised beyond the consumption, operates on the country at large.

Let us suppose that one half of the whole quantity consumed in the United States, is for the immediate subsistence of the growers of grain—which is not far from the truth; and that the other half is used by the inhabitants of our cities and towns, the mechanics, shop keepers, and the numerous non grain-productive classes spread through the country, and for the support of our own seamen abroad, &c.

If, then, there is a foreign demand for one fifteenth of the quantity of bread-stuffs produced, the price of seven other fifteenths is raised—if there is no foreign demand, and a domestic market cannot be created for the surplus, the value of the same quantity is diminished. These things appear to be self-evident—but I will endeavor to shew that they are plain and irresistible.

Before the late speculation was put afloat, the average price of flour in the United States (not including any charges or cost of transportation) was somewhere about \$2.50 per barrel; if the scarcity in England was such as to cause her ports to be opened, the like average might be at least \$7.50 per barrel—for it costs no more labor to bring a barrel of flour to the sea-board when it will fetch nine or ten dollars, than when it sells for only four. Accordingly, the price of the whole quantity would be trebled.

The difference, then, as to the export of flour, would stand thus—

1,500,000 barrels, at \$9, . . .	13,500,000
The same at \$4, . . .	6,000,000
	\$7,500,000

But the difference in price to the growers of the grain of which this flour should be made, would be in a much greater proportion of profit—thus:

1,500,000 barrels, at \$7.50, . . .	11,250,000
The same at \$2.50, . . .	3,750,000
	\$7,500,000

When the average price of flour is assumed at 2½ dollars per barrel, the price of all the grain raised, wheat, rye, corn, &c. may be estimated at about six mills per lb.; and, as all rise in price with the advance of flour, when the latter averages 7½ dollars, the common price of grain will be 18 mills per lb.

On the data thus reasonably made out, as we believe, (though an error of opinion does not affect the principle of the matter that we mean to exhibit), let us proceed to ascertain the aggregate effect of this rise of price on one fifteenth part of our production of bread stuffs, &c.

We have calculated the whole quantity consumed, as above stated, is 4,800 millions of pounds—and that one half of it is directly used by the growers of it: 2,400 million lbs. then remain for the domestic market, and are sold by the farmers:

2,400,000,000 lbs. at 18 mills, is	\$43,200,000
The same at 6 mills, is	14,400,000
	28,800,000

Add to this the difference in amount of the value of the quantity exported 7,500,000

And the aggregate is \$36,300,000

Here is the mystery!—for we behold that by the operation of these different prices on the single article of flour, an amount of value, currency or

money, call it what you please, as a medium of internal commerce, is instantly created, as it were, to act between buyer and seller, and affect every person that has any thing to sell or any thing to buy: old debts being easily paid off, and new ones liberally contracted, because money is "plenty." Yet, perhaps, there is not one dollar more in the country at the high price of flour than there was at the low price—probably less. In proof of this, we have only to remark, that specie was never less useful or less in demand in the United States than it is now; meaning as to those who possess or have a right to demand it.

All that has been said in respect to bread-stuffs, much more powerfully applies to cotton, tobacco, &c. so far as their domestic consumption extends; because the *growers* of these do not use more, perhaps, than a fiftieth part of the relative quantity (or in things of like kind), consumed by those who grow grain for market. It is lucky for the *planters*, that the home demand advances the price on the foreign one.

Now we come to the cream of the mighty business. Every body sees and knows the operation of a raise in the price of flour—even the wood-sawyers in Baltimore advanced their prices 25 per cent. per cord for cutting, for *they* thought that, money would be "plenty;" but why may not the same principle apply to works of iron, wool, cotton, and other articles? It must—or like causes will cease to produce like effects, which we do not suppose can easily happen! The products of agriculture—our supplies of bread-stuffs, meats, liquors, &c. though of greater value than either of these, are hardly less essential to our wants and comforts; and, if by establishing those and other branches of manufactures, we could raise the amount of the home market for agricultural products only one fifteenth, would it not be doubly advantageous compared with the foreign one, as well as become a concern under *our own* management and controul? Here is the momentous question. Let us state a familiar case that has before been referred to in this work, but will bear to be repeated an hundred times:—When the iron works in Western Pennsylvania were in full operation, they regulated the price of pork (and consequently of corn, for "hogs are the best sacks to carry it to market in") for a large part of Kentucky, &c. by the quantities consumed thereat, in the same way that the foreign market affects the price of our bread-stuffs. The Kentucky farmer, perchance, used 10 or 20 or 50 lbs. of Pennsylvania iron in the course of a year, that cost him, let us say, one cent more per pound, than he might have had it for, if imported from England—but in return for this, he received two or three cents per pound, *more*, for five, ten or twenty thousand pounds of bacon that he had to sell, and his corn was worth as much again as it is now. In this we behold the operation of a demand and the effect of an excess, just as it has been shewn in regard to flour; and so we might go on to enumerate article after article and case after case, for a week, without exhausting them; because they are every where to be found and the principle on which they rest applies to every thing.

We shall here close this subject, believing that enough has been said for those that will *think*, and in the assurance that it is useless to say more to such as will not—for these, if they had happened to have been born in Ireland, might yet have ploughed by means of traces fastened to their horses' tails. Let no one smile at this, who thinks it right for us to receive the great staples of Eng-

land freely, and believes that we can do so beneficially, while she refuses to receive ours,—though we could furnish them much cheaper than she produces them at. Yet so we act, and so the government seems to think—but I must needs believe that the great subject of its thinking is *how* to cheat the people into the payment of taxes. If we had to pay *feelingly* what is now *secretly* drawn from our pockets—heaven help us!—what a bustle would there be! The four following paragraphs, from the writings of the late Mr. *Barlow* [for which we are indebted to the "Fascun" noticed below] now first presented to our observation, fully corresponds with the ideas that we have entertained of the matter last alluded to for several years.

"It is difficult to describe, perhaps impossible to conceive, the quantity of evils brought into society by the mode of collecting revenue by *deception*—or laying the duty in such a manner as that the people shall not be sensible from whom or when it is paid."

"Men of all parties and of all descriptions, both the *professional* friends and the *undisguised* enemies of equal liberty, appear to agree on one point relative to public contributions—that is, that the tax should be so far disguised as to render the payment imperceptible at the time of payment. This policy is accomplished by incorporating the tax with the price of the commodities—so that those who levy the tax or whose impolicy causes it to be levied, escape censure, which is transferred to the merchant who sells the commodity."

"A nation surely is in a wretched condition, when the principal object of its government is the increase of its public revenue. Such a state of things is, in reality, a perpetuation of warfare, between the few individuals who govern, and the great body of the people, whose labor constitutes the public wealth."

"The whole system of indirect taxation—so universal in modern times—so much extolled by modern financiers, as necessary in composing their enormous masses of extorted revenue, is wrong from the foundation, and cannot but be vicious in practice. *It is built on the great aristocratical principle, that men must be governed by fraud; and it can be necessary only to that system of management which divides the nation into two parties—the party that receives and the party that pays.*

Since the preceding was written, we have received from a correspondent the following passing remarks, not intended, perhaps, for publication, though we take the liberty of giving them to our readers:

"It is enough to make one frantic to see this fine and great nation so dependent on foreign events. The failure of the crop in England is now the farmer's only hope; from his own government he cannot expect any good thing—its laws and policy afford him no market: but if a Russian minister leaves Constantinople, it is a joyous event for the American farmer—if he stays behind, their hopes are blasted: a week's rain or a week's sunshine in England during harvest, almost fixes the fate of our whole country for a year! This is *INDEPENDENCE*, I suppose; this is freedom of occupation or trade; and so we must suffer or prosper according to the will of foreign powers or the fluctuations of foreign weather. Thank heaven, it does not affect me personally on my farm, for I raise sheep and the manufacturers give me such a price for my wool as enables me to make money by farming; but my next neighbor, with 800 acres of the best land in the county, well stocked, improved and culti-

vated, cannot clothe his family, &c. with the proceeds of all the grain which he has to spare, for foreign goods rise in price while his grain is falling. So we go on—not regulating ourselves, but suffering foreigners to regulate us.

I hope that commerce is flourishing and suppose that it must be so, as the merchants do not complain of the rate of exchange, which still continues a little higher than the increase of duty proposed on the most important items of the tariff. But we know little here of commercial operations. How does our commerce with France and the British colonies come on? I hear of no complaints. Have our ministers abroad made an arrangement—it would seem that they must, as the sea-coast is so quiet. I observe that of eighty-two risks that occurred at Havre, only one was on an American vessel. How is this?—you publish such accounts in your useful paper, but give us no explanation. And what is the prospect of revenue for the next year?—I suppose it must be abundant. Has the government borrowed the five millions—how much is now in the treasury, and what is the surplus on hand? How will you relish another loan? We are not pleased with the prospect of it here. You need not answer these questions, by letter, but may publish them if you please, that persons may answer them for themselves.

☞ The following, bearing upon the same subjects, is an extract of a letter from a gentleman of high standing in Massachusetts, addressed to the editor. Another, from a distinguished citizen of New Jersey, shall be attended to in our next.

"The facts which you state, and the principles which you inculcate, ought to be more generally known and understood. We have drawn wrong conclusions from the former state of our commerce which we seem to cling to with wilful obstinacy. A contest in Europe is to renovate commerce and replenish the national treasury!—"When the sky falls we shall catch larks." But as rats desert a sinking ship, so must the commercial community, sooner or later, give up their notions.

"Every merchant knows that trade depends not so much on the wants of a people, as on their ability to supply those wants. Let a policy be adopted to cause the industry of one to administer to the wants of another, and I think that, in a country like ours, with so many and dependent wants, we shall hear but little of the depression of trade.

"Our former source of wealth, of extravagance and luxury, the bane of any nation, flowing with human blood, thank God! is dried up—I hope forever; and if we have not wisdom to avail ourselves of the ample means of independence and prosperity which a bountiful Providence has put into our possession, we ought to feel all that we now do and a great deal more—but this feeling has brought the people to reflection, and the time is at hand when the result of such reflection will furnish the basis of the proceedings of the government."

NAVAL ESTABLISHMENT—AND CASE OF COM. BARRON. On the 20th ult. I published an article of considerable length on the naval establishment of the United States, which, I believe, has been generally approved of, and especially by those officers on the list who are *able* and *willing* to render services for compensation received: all these must needs be anxious to get rid of the drones, lest the general expense of the establishment may cause a re-action injurious to themselves. Public opinion is not easily moved; but we have seen it fashionable to be *economically extravagant* as well as to

be prodigal. It is equally the part of a wise government to expend as to save money; the merit of either depends upon the right of the matters to which the operation is applied, and the condition in which things are placed. But if the *fashion* leads either to extravagance or extravagant economy, the *good* that might belong to a *seeming* of one or the other, is too often sacrificed and swept away by the tide.

The general purpose of the essay referred to was to preserve the *efficiency* of the navy, by keeping it fashionable to esteem it as an arm of the national defence, through a reduction of its expenditures, and a retrenchment suited to the condition of the times, without desiring the dismissal of one useful or necessary officer on the establishment. To accomplish this, it was needful to point out what I supposed was a defect in its system or a want of discretion in its administration; and the case of com. Barron was incidentally alluded to, to exemplify what I regarded as the strong ground of my opinion. It was shewn that, "without at all interfering with the merits of that officer," he had received a large amount of the people's money without rendering, *without being permitted to render*, the most trifling service for it. That this is a public grievance, no one in his sober senses will pretend to deny. He is, as I said, "worthy or not worthy" of the place that he holds, and it is indisputably right that he should be employed, or at least be considered as *for employ*, or be dismissed. This is one of your plain common-sense applications of the "rights of things," that admit of no dispute. But with the com. as an individual, I had nothing to do; nay, I rather excused him from blame than cast it upon him, and such perhaps was my intention. I attack no man—it is out of my line to do so—I contend only for principles. But if it were otherwise, it is not in my nature to assail any one circumstance as the commodore is; and, if *compelled* to take a part in his case (though I will not be compelled to it) I should, certainly, from the mere force of feeling, take my stand on his side, *while he holds his commission and remains "unemployed"* as he is, for reasons that are stated in the letter below. No part was taken in regard to him, personally. I cautiously worded the paragraph so that his *case*, not the *individual*, might be presented to the people. It was in the following words, some of which I have italicised just to shew the circumspection used on the occasion.

From the Register of the 20th ult.

"Without at all interfering with the merits of com. Barron—at present the second officer on the navy list—his case may serve as a sample of the kind of waste that we are reprehending. He was commander of the Chesapeake frigate when she was attacked by the Leopard, in the year 1807, and, in consequence of that affair was suspended for the space of five years, which expired in 1812. He then returned to his rank and regained his pay, and ever since, *it is presumed*, has received the sum of 2,500 dollars a year for pay and subsistence—in the whole no less than twenty-two thousand five hundred dollars! What for? *because his name is on the navy list!* He has frequently solicited employment—he is, or is not, worthy of it; and the public ought to be relieved of this great expense of maintaining him, or he should be permitted to render something for it; at sea, in advice, or by superintendence. But he is now completely idle, as a navy officer—except to make out quarterly drafts for his own pay and rations, and live on the proceeds. *This does not appear to accord with his*

wishes;—but that is nothing. It shows a want of power, decision, or discretion in the constitution of the naval establishment, or in some whose business it is to act on the provisions of the law.”

The preceding is all that I said about the commodore, nor did I make any other reference to him; and “how in the world it was,” that Mr. Broughton, the intelligent and useful editor of the *Norfolk Herald*, (and who also has ever been represented to me as a most worthy man), saw in it matter for the following remarks, I cannot imagine—except on account of the warm feelings of many people in that town for com. B. and a consequent sensibility to the simple mention of his name.

From the Norfolk Herald of the 31st ult.

“In the course of a long article on the expenditures of the naval establishment, Mr. NILES, in his Register of the 20th inst. adverts, with no little warmth, to the number of officers retained on the navy list on full pay without being appointed to any trust or employment. We can have no objection to Mr. Niles’ investigations into the subject of national economy; and if he can point out abuses in the expenditure of the public money in any department of the government, he should receive the thanks of those whose duty it may be to apply the remedy. Yet it is rather extraordinary that Mr. Niles, with all his means of information and his general correctness in stating facts, should have recorded so erroneous, and, as respects commodore Barron, so derogatory, so injurious a statement, as he has done in instancing the case of that officer: for while it assumes to be a candid and unprejudiced representation of a public abuse, it carries with it the semblance of an invidious personal reference. In noticing that statement it is due to com. BARRON to say, that Mr. Niles has “presumed” a fact which existed only in his own imagination. The true state of the case as it respects that officer, we undertake to say, is this:—In March 1819; (we quote from memory as to time), the secretary of the navy issued an order to pay all the officers the full amount of their pay and subsistence; from that period, if Mr. Niles will calculate arithmetically, and not by “presumption,” he will find that com. B. must have received somewhere about \$1800 per annum, instead of \$2,500. We will put Mr. Niles in mind of another trifling error in his calculation, which is, that commodore Barron’s pay re-commenced in 1813, (February) instead of 1812, and that, up to March 1819, he received only \$600 per annum, instead of \$2,500; making in all about \$7,200 during a period of fourteen years—a wonderful deal short of Mr. N.’s \$22,500!—Com. B. has never had the benefit of any contracts,* nor has any of his family; nor has he ever shewn a disposition to receive more of the public money than was justly due him. If money had been his object, he would never have entered the navy at the time he did. He gave up the command of a fine ship in a lucrative trade, and entered the naval service as a lieutenant—and, when living in exile, refused employments which would have greatly advanced his fortune, because they were not strictly in conformity with the temper and feelings of his countrymen.

“It is by no means our wish to invite a controversy on this subject—on the contrary, so far as we are concerned, we abjure such a consequence—nor can it be necessary. It only rests with Mr. Niles to correct the statement, and to do that justice to the case which the high reputation of his

journal for truth and impartiality, demands; and moreover to give credit to the “waste of public money,” for the handsome sum of \$15,300, which he has overcharged on account, of naval expenditures.”†

On seeing this at the time stated, I wrote the letter that follows, intending to have sent it off that night to the post office—but on reflection, thought it better that it should first appear in the REGISTER.

It is always a matter of regret to every thinking man, that his intention has been misunderstood, but it is sometimes useful that such things should happen; and, on the whole, I am most sorry for it in the case before me. It will powerfully assist to direct attention to an object that, without interfering with com. Barron individually, may save the country from 1 to 200,000 dollars a year, and yet preserve, in its fullest extent, all that is useful, all that is efficient, in the naval establishment. To be sure, a couple of hundred thousand dollars is not much out of the nineteen millions per annum which government has cost us for many years past—but in times like these, it is better to keep it than throw it away—for nothing rendered or hoped for: of which we shall say more hereafter. I will not consent to the support of *drones*, if I can help it.

BALTIMORE, FRIDAY EVENING, NOV. 2, 1821.

To the editor of the Norfolk Herald.

DEAR SIR.—It was not until after my paper for to-morrow was put to press, that I noticed certain remarks in the “Herald” of the 31st ult. on a piece written by me and published in the “Register,” so far as the same related to com. Barron. As I shall not have an opportunity to notice these remarks in the usual way for a whole week, and am anxious that the matter should be promptly and fairly understood, oblige me by giving the following exposition a place in your next paper.

It is well that all do not see with the same eyes and reason from the same understandings, else there would be continual quarrellings for preference, and truth would be obscured, if not wholly cease to operate, on our minds; for it is through honest differences of opinion that truth is ascertained. Your reading of the paragraph respecting commodore Barron and my comprehension of its meaning, together with a certain knowledge of what I intended to express, are as much opposed to each other as any two things can possibly be; and, if it carries “the semblance of an invidious personal reference,” as you apprehend that it does, I must have exceedingly mistaken my purpose—for the idea of censuring him was not entertained at all; as I must needs think that yourself will discover on a closer examination of the paragraph, taken in connection with the general matter of the essay; because I am sure every man will agree, that, if the commodore is not employed, and the determination exists not to employ him, he ought to be discharged. He is, or is not, worthy of the service that he belongs to—and the responsibility of employing or dismissing him ought to be met. The commodore has no part in this—I have the best authority to believe that he desires one or the other, though he will not resign. It is needless for me to point out the different operation of a dismissal and of a resignation on his peculiar circumstances: if conscious to himself of his own rectitude and ability, he should

† Well—I’ll give the credit to oblige Mr. Broughton—but what shall we say about the balance? We should like to have that settled somehow. ED. REG.

* What naval officer has?—let us know! ED. REG.

as he does—for I have no notion that any person should be shoved out of his rank and character, but in pursuance of proceedings known to the law; because then, he may have a free opportunity to vindicate himself—this opportunity is lost to those that resign.

And in the paragraph referred to, I expressly prohibited the construction of an interference with the merits of the commodore—please to publish it, that your readers may see it. My reason for this was, that his merits or demerits had no sort of relation to the general subject under examination, and I was no more under an impression that I was making a statement either favorable or unfavorable to him, personally, than in regard to the emperor of China. I never have, personally, assailed any man, except *Cockburn* and some of his class during the war; and indeed, if such was my practice, the peculiar condition of com. B. would prevent my attacking him. He stands prepared, I am told, to act in the way of his profession—nay, he seeks it; he has a right to be employed, or it cannot be right to pay him, though right in him to receive pay, because the simple fact of receiving it is evidence of his worthiness—seeing that we acknowledge nothing like sinecures, and every one that receives the people's money is understood to render services for it. It is quite true, and I am very sorry for it, that too many persons appear to hold sinecures, and are not even content with what they should rightfully produce—but such cases are opposed by the constitution and the law, as well as by public opinion, which is superior to both, and I trust that they ever will be. Yet com. Barron cannot be thought to possess a sinecure, in the common meaning of the word. He holds an office without employment—not because there is no employment in the office; it is the office that is destitute of it, by acts over which he has no controul.

I am truly sorry to take up so much of the room of your paper, but am exceedingly earnest that the subject should be understood—not the case of the commodore personally; but the principle of it is of the greatest moment to the well being of the republic. I insist upon it—I will stand by it as long I live, if the present constitution exists, that there is no right in the executive to pay away the public monies but for services rendered or anticipated.* If it is otherwise, where shall we stop? Look at England with her herds of sinecurists—there persons are appointed to offices, to which, for an hundred years or more, no duties have been attached; here an officer is paid without the performance of duty, though important duties belong to his office: Now, what is the essential difference between the two cases? In both, the people's money is wasted, and the effect upon the public treasury is precisely the same. Let us unite to oppose these things at their beginnings—it is much easier to keep them right than to put them right when wrong.

After a consideration of these matters, the amount of compensation that com. Barron has received is of no importance whatever. I did not state that amount as a fact, though I had good cause to believe that the presumption was not far from the truth, on the authority of a particular friend of the gentleman, who told me that he was on full pay, believing, also, that he had been so ever since the termination of his suspension. It appears that you are better informed than I was—and that he now receives only 1800 dollars, instead of 2500, as I sup-

posed that he might,† not saying that he did. I shall not object to your statement, because it has no bearing on the subject, which is general and not personal. You admit that com. B. has received seven thousand two hundred dollars, and I ask, *ron what?* I shall not object to any thing that the nearest and dearest friend of the commodore may say of his talents, character and so forth, for I have not regarded, nor do I intend to regard these in any manner whatever—*pro or con*; and, if he believes himself an injured man, he might fairly receive the money in a spirit of resentment, if not as a propitiation to his wounded feelings—such as is often found in damages obtained in courts of law. Do you believe that when commodore Barron was entitled to full pay in 1819, that his employment was calculated upon as a necessary consequence? I know that this is a home question, but an answer to it is essential to a just understanding of the affair, and I do not believe that you will flinch from it, as is the practice of too many of our “brothers of the type” that I might mention. If it was intended to employ him, why is he, alone, “unemployed” though standing second on the navy list—why is it that he is not permitted to render the most trifling service for eighteen hundred dollars a year? You will say that he is able and willing—yet his talents are lost to the nation, and he is paid for doing nothing. It is not his fault, you may observe again. Let it be so; but you will consent that there is a fault somewhere, and decidedly agree with me that it was wrong, and is wrong, to pay any man as for services rendered when none are expected, and when it is determined that none shall be performed. I grant you, that there are several officers high on the navy list, that do not really render one jot or tittle more of service than com. B.—that no efficient services can be hoped for of them, and that they should be dismissed at once; but they have nominally something to do, though it may be they never have done any thing for the good of their country, except of the most ordinary character, and are incapable of it: still, in the case of the commodore who, you will say, has rendered services and is capable of rendering as well as wishing to render them, the government prefers to pay him 1800 dollars per annum, and keep him on the list, not only really, but also nominally idle, rather than grant his request for service, if worthy, or strike him from the roll, if undeserving of his rank in the navy! If this is not “a waste of the public money” I cannot suppose a case that is; and I repeat it, that the responsibility either of employing or of dismissing him, ought to be met, without hesitation or further delay, provided the organization of the establishment will admit of the latter, and the doctrine of expediency forbids the former; but, if the organization will not admit of the procedure, it is high time that it should be overhauled and amended; and I trust that some old fashioned member of congress will cause the re-

†By the estimate for 1820, it appears that 12 of the captains on the list were allowed 15 rations per day—it was fair to suppose that as com. Barron was third in rank, that he was entitled to the extra allowance, though indeed, I do not know on what account it is granted. In this case, the pay and rations amounts to more than 2500 dollars a year—thus:

12 months pay at 100	\$1200
5475 rations at 25 cents	1368

\$2568

*Except in the case of ordinary pensioners, or by special grants by congress.

quisite enquiry to be instituted, that we may know what we are paying so much money for.

There is nothing between us to "invite a controversy"—"nor can it be necessary"—because there is not any difference at issue. I agree to all that you say, denying only your construction of my paragraph, which neither accords with my intention at the time of writing it, nor corresponds with my understanding of it now. The people of Norfolk have had their sensibility much excited by com. Barron's affairs—and hence, perhaps, it was that you applied to him, personally, what was meant as an exemplification of the subject which I was speaking of, though it had no concern with him as a public or a private man. It is the system, or practice, on which his case rests, that I was deprecating—not the commodore.

Very respectfully,

H. NILES,
Editor of the Register.

IMPRESSMENT. The "Democratic Press" is remarkable for its happy selections of miscellaneous matter, by which we are very often at once both amused and instructed. Extracts from new works are frequently given, and it is to that paper that we are indebted for the following remarks, from a work that has lately appeared in England, known as "*Nichols' Reflections*." The author appears to have mixed much with the leading men of his country for many years past, and to have been a careful observer of things. On impressment he says—

"The English ministers set up the following claim; they said, We have a right to stop and enter a neutral ship to search for *contrabande de guerre*; when we are on board that ship, if we find British sailors, we have a right to impress them. If we may reason on the law of nations according to the maxims of the common law of England, this claim was ill founded. By the law of England, a landlord may enter on the premises leased to his tenant to distrain for rent; but the law says that this right of entry is a qualified power, granted for one single purpose; and if the landlord who distrains, avails himself of his entry for any other purpose, he is considered as having used this power of entering to distrain, solely as a pretence for entering to enable him to commit another act: he is therefore considered as a wrong doer, or, according to the language of the common law of England, as a *trespasser ab initio*. If I may be allowed to apply this principle of the law of England, to the claim of the British government to impress British sailors found on board a neutral ship, I cannot hesitate to say that the claim was ill founded. Let me examine it in another point of view: The commander of the English ship of war who stopped the American ship, and took out sailors, saying that they were British subjects, and as such he had a right to impress them, was both the claimant and the judge. From similarity of language and appearance, he would, of necessity, be frequently mistaken; but the sailors would be carried away, and relief most commonly precluded. Would Englishmen ever have submitted to the claim of such a right against themselves? And if Englishmen would not themselves have submitted to the exercise of such a right, ought they to have claimed it against others?"—Pages 154--5--6.

¶ We may add a few words. The English, by their own acts, in giving up some thousands, perhaps, of American seamen, because they would not fight against their country, on the declaration of

the late war, clearly and unequivocally acknowledged the abominable outrages which they had committed—Dacres, the captain of the *Guerriere*, made a merit of the fact that he did not compel certain impressed American seamen to take part against the Constitution: But the most rascally thing ever heard of, was to make prisoners of war of the men that had been impressed in peace. All these were sent to prison, as if they had been captured in arms: never was any procedure more infamous.

[Ed. Reg.]

A PRINCESS! From the work just above quoted, we have an account at some length, of the present princess of Benevento, wife of the well known *Talleyrand*. She is described as having been a most lovely woman, with great sweetness of temper and fascinating accomplishments. She lived with her husband, Mr. Le Grand, an officer in the civil service of Bengal, at Calcutta, where she was much followed by the men. One of them, a Mr. Francis, carried his pursuit so far as to secrete himself in her bed-chamber; he was seized and prosecuted. It did not seem that he had been warranted in his proceeding by Mrs. Le Grand, and he was assessed in 50,000 rupees as damages to her husband.—Though the lady does not appear to have been guilty of any offence at that time, Mr. Le Grand got a divorce, and she then threw herself on the protection of Mr. Francis, for subsistence. She left him after a short time and proceeded to England, and in London met with *Talleyrand*. He prevailed upon her to accompany him to Paris, where he afterwards married her—so that by the loss of her reputation, in the first case, perhaps unjustly, she became princess of Benevento.

THE FUSCUM. A series of select sentences are publishing in the "*Aurora*" under this title. The following are some of them:

It is beyond all comparison better to prevent than to punish crimes. A system of government which shall prevent ignorance, and consequently, crimes, will be infinitely superior to one which, by encouraging the first, creates a necessity for the last, and afterwards inflicts punishment on both.

[Owen.]

An army of principles will penetrate where an army of soldiers cannot. It will succeed where diplomatic management would fail. It is neither the Rhine, the Channel, nor the ocean, that can arrest its progress; it will march on the horizon of the world, and it will conquer.

[Paine.]

Every man is at liberty to speak what he pleases against the people; but against princes or ministers no man can talk without a thousand apprehensions and dangers.

[Machiavel.]

All men having the same origin, are of equal antiquity as to ancestry; and nature has made no difference in their formation; strip the nobles of the world naked, and you cannot discern their nobility; dress them in rags, and you in their robes, and you will find that poverty and riches are the only distinctions.

[Machiavel's Florence.]

A statesman having determined to raise certain revenue by taxes, which were unequal, operating partially on the poor, and exempting the opulent, a friend remonstrated; the man in power exclaimed, the people dare not oppose them, and what can they do—the reply was, "they can pay the taxes and excrete you."

[Franklin.]

It is the nature of despotism to abhor power held by any means but its own momentary pleasure, and to annihilate all the intermediate situations between

boundless strength on its own part, and total debility on the part of the people.

[*Ed. Burke's thoughts on causes of discontent.*]

The popular election of magistrates, and popular disposition of rewards and honors, are among the first advantages of a free state. Without these, no people can long enjoy freedom; certainly none of the vivifying energy of good government. [*ibid.*]

All power is derived from the people unalienably, and all magistrates are their trustees and servants, and at all times amenable to them.

[*Virginia bill of rights.*]

It is certain that the people, if left to their own calm judgments, do generally, if not always, judge well. They have their five senses in as great perfection as those who pretend to be their superiors, and who treat the people as if they had none—genius and honesty are oftener found handling a pitchfork, than beneath a coronet. [*Cato's Letters.*]

Gaming unites all the vices of avarice, besides loss of time—loss of reputation—loss of health—loss of fortune—loss of friends—loss of temper—ruin of family, and often, loss of life itself.

[*Franklin.*]

The science of politics, is the science of political economy—so little understood and so constantly separated; it is to the moral world, what chemistry is to the natural; for as the one embraces the substances in nature, the other comprehends all that regards human happiness as a member of society. The right management of a family, is a well regulated police—and a good police is realized only in a good economy—the case of a family is the case of a nation.

[*Burdon.*]

Political economy embraces subjects almost infinitely various; for, after the formation of government, which must have that object in view solely, all things else come under the denomination; but where the government is radically bad, or where it is good and perniciously or perfidiously administered, it is in vain to look for political economy.

[*ibid.*]

I am not afraid of men of tender and scrupulous consciences, any more than of those who are over cautious of professing and believing too much: if they be sincerely in the wrong, I forgive their errors and respect their integrity—the men I am afraid of, are those who believe every thing, subscribe to every thing, and vote for every thing.

[*Shipley.*]

Woe to that people, amongst whom the lawyers shall combine with the rulers, for they will become the instruments of despotism; the laws will soon be perverted; the innocent will be sacrificed under legal forms—tyranny will have an unwritten code in their interpretations; judgments will degenerate into conspiracies; public opinion will be professedly respected, only the more securely to evade it—to impose upon it—to disfigure it; the timid will withdraw, or swell the lists of public betrayers; and the courageous will be discouraged by the number of cowards, arrayed under the mask of legality.

[*Mirabeau.*]

National calamities are produced by corruption, and cured by revolution.

[*ibid.*]

Monarchy is a scheme for making one man worse than the rest of a nation, and then placing the nation under his guidance.

[*L. J. Russell.*]

The best form of government is that which establishes the most effective guards against the infirmities and vices which flow from human passions.

[*Mandeville.*]

Hereditary virtue, and hereditary power, are not to be found in the experience of the world.

No man chooses a coachman, because his father was a coachman before him.

[*Halifax.*]

It is by the treachery of those who are called great men, because they hold great power, that great nations perish; but it is the imprudence of the people that prepares them for the chains which are the inevitable consequences of their credulity.

[*Gordon.*]

In many countries, the press, though nominally free, is actually enslaved; the unseen influence of power, the terror of the *gens de robe*, of the magistracy, and the police; the patronage of trade; the frowns of the clerical class; silence one or another of those who are not qualified to be instruments at. I do not unite against him who can proscribe, said Macrobius.

[*Grossely.*]

SURRENDER OF GENOA. We have alluded to the surrender of this ancient republic by the British, to "his majesty the king of Sardinia;" and the following notice of that transaction, from lady Morgan's "Italy," shews some of the causes why we reprehended it:

"In 1814, Genoa, like the rest of Italy, believed that the allies were serious in their promises of liberation; and that the legitimate crusaders against *illegitimate despotism*, meant nothing more than to restore that liberty whose loss they so affectingly deplored. England personally stood pledged to Genoa—*she* had voluntarily interposed in its behalf—*she* had sent the flower of her nobles and her gentry, as friends and guests, to hear the tale of domestic griefs, and to steal the confidence of the citizens by a show of sympathy and a pledge of protection. These gentlemen were received into the palaces of the aristocracy, into the houses of the people; and doors, that so rarely open to the stranger's knock in Genoa, flew off their hinges to welcome the British guests. When the British officers rode into their gates, bearing the white flag, consecrated by the holy word of "*independence*," the people, always true to strong emotion, by whatever cause it is promoted, "*kissed their garments*," and rent the air with *vivats* to their honor. Every heart was open; every tongue was loud; opinions, long hidden, were revealed; hopes, long nourished, were confessed; all, of every class, gave themselves up with frankness to their English liberators. When there was nothing more to extort, the English, in their turn, gave up the Genoese to their ancient foe, their inveterate rival, and long detested neighbor—the king of Sardinia and of Jerusalem.

During the brief hour of their delusion, the Genoese, assisted by British councils, had formed a provisional government, which was composed of the most respectable citizens of the restored republic; and the most enlightened, the most liberal of its aristocracy, *Jerome Serra*, was elected its president. To the last moment, the English continued to feast in the houses, and to swarm in the streets of *Genoa*. They parted at night from the palaces of the Strada Nuova and Balbi, leaving their hosts to dream over their recovered independence. In the morning, they delivered them up, bound hand and foot, to the enemy. Lord William Bentinck's flag of "*Indipendenza!*" was taken down from the steeples and high places at sun-rise; before noon, the arms of Sardinia blazoned in their stead;—and yet the Genoese did not rise *en masse* and massacre the English—the violators of a trust so sacred! To the glory of the Genoese be it recorded, that, even in their bitterest moments of disappointment and suffering, they did not accuse

the British military of misconduct or treachery: they saw that they were, like themselves, the dupes of the masters they served—the blind agents of a dark and infamous policy. How just they were in this conviction, time has since shown, and time will still further prove. Many a brave English soldier now tells the tale of Genoese ruin, and of the part he was induced to play, with the crimson hues of shame burning on that brow, where shame never sat before; many a grateful English heart has voluntarily returned to that Genoese roof, under which he first entered an unconscious agent of treason against the rights of hospitality, and sought and found there that forgiveness it could not grant to itself. If, even in this imperfect sketch of wrongs, whose story belongs to far ampler and far nobler pages, some trait of bitterness has escaped from irrepressible indignation, its source has been found in the details of English officers, who themselves, related the errors of which they had been made the organs, with feelings of such deep-seated and generous contrition, as might almost have absolved the crime, had it even been voluntarily committed. But never again (be it hoped) may a British army become the dupe of such a system as it has fought under for the last thirty years—never again may it be so deceived and so dishonored.—The army of England is an aggregate of Englishmen: the sons, the brothers, and the fathers of Englishmen, must sympathize in all the distresses and all the feelings of their fellow subjects. The first parliamentary army of the commonwealth, and that other army, which assisted in abating the despotism of the Stewarts, and in consigning, on trust, to the house of Brunswick, the national sovereignty, were true to the sacred cause of liberty, and so must every army in the end become, which is taken from the body of a free people. In such a country as Great Britain, the army cannot take the lead in popular sentiment; but it can never be compelled, or seduced, to remain very far behind it.

On the surrender of Genoa to the king of Sardinia, it was deemed at least decent to hint to him, something about a constitution for his new and depending subjects; but this, though deferentially thrown out by an accredited English minister, was heard by the king with *scornful impatience*: and when a Genoese noble had the audacity to suggest the policy of such a step, the king is said to have turned shortly on him, and to have observed, "The first that speaks of *constitution*, I'll have him shot." None, after this candid exposition of the royal sentiments, ever thought of contradicting them, and the Genoese are now governed *without a constitution*, without any form of government, but such as the arbitrary will of their new sovereign imposes.

[Pages 258—9—60.]

PROPOSED NEW JERSEY CANAL. A writer in the True American, controverts the report of the commissioners, who surveyed the route, and endeavors to convince the public, that a canal may be constructed for 259,756 dolls. which will unite the navigable waters of the Delaware with those of the Raritan, viz 29 miles from Lambertton to the wharf of New Brunswick. The commissioners had contemplated cutting the canal on a dead level, with all the lockage at the extremes.—Probable cost \$836,824. "The Jerseyman" submits this project, the execution of which would cost only the sum first stated:—

1st. That it be constructed on an elevation of 73 feet above the medium of high and low tide water in the Raritan and Delaware, that it be 50 feet

wide on the surface, 20 at bottom, to contain 4 feet depth of water, and be provided with towing paths elevated two feet above the surface of the water.*

2d. That in lieu of locks there be erected at each end of the canal, (the banks of the rivers being high and very steep, and admirably adapted to such a plan,) an extensive warehouse, having one end resting on a wharf on the river, with the other extending to the canal, having the upper floor elevated a little above the surface of the water in the canal, and to be provided with cranes, and all necessary machinery for hoisting and lowering the most ponderous articles, and for loading and unloading canal boats at the one end and of sloops at the other†

This plan is not only feasible, but simple, on easy execution, and would produce important advantages.

1st. It would give employment to a much greater number of canal boats, and of hands to work them, than that of the commissioners.

2d. It would greatly increase the freighting business between New Brunswick and New York on the one side, and Lambertton and Philadelphia on the other, when on the plan of the commissioners, to have coasting vessels pass directly through from city to city would diminish it.

3d. It would greatly augment business in New Brunswick and Lambertton, by making them the temporary deposite of all produce, wares and merchandize, to transmit from city to city.

4th. It will diminish the expense of constructing nearly three fourths, as will appear by contrasting my statement with that of the commissioners.

General Jackson.

FROM THE FLORIDIAN OF OCT. 8.

To the citizens of the Floridas.

The temporary organization of the government of these provinces, according to the act of congress of the last session, and to the powers conferred on me by the president of the United States, I have the satisfaction to announce, is now complete. If it possess imperfections, or defects, the reflecting man will make due allowance, when he considers that its duration will be but short, and that it is the best that circumstances would permit, taking into view the difficulties I have had to encounter. Where the rule, or law, is certain, I have consider-

* The Middlesex canal which is 27 miles in length, and connects the tide water in Boston harbor at Charlestown with the Merrimac river, is 30 feet wide on the surface, 20 at bottom, and 3 in depth. In 1815, it produced in tolls \$25,000, in 1816, \$30,000 and in 1817, \$32,000, and has enhanced the value of lands on the Merrimac, and for some distance on each side of the canal, from 100 to 500 per cent.

† If the canal company should not wish to incur the expense of erecting the proposed warehouses and wharfs, there are individuals who would gladly avail themselves of the opportunity, of erecting such establishments, for sake of the freighting, and other commercial advantages such a situation would afford them; and, as the banks both of the Raritan and Delaware are high and steep, lateral cuts might with facility be made from the main canal, extending some distance on the banks of each river, on which ranges of warehouses could be erected, having the canal at one end, and a wharf on the river at the other.

ed it my duty to follow it strictly, but where this has not been the case, I have endeavored to make the best provisions in my power, believing that government of some kind, was absolutely necessary. It is my sincere hope that the subject will attract the earliest attention of the congress of the United States, and that the inhabitants of these provinces will be relieved from the state of uncertainty and doubt, which at this moment must necessarily prevail.

In the organization of the present temporary government, and in its execution, I have kept steadily in view the securing to the inhabitants of the Floridas, all the privileges and immunities guaranteed to them by the treaty. The principal of these, is the protection of their persons, property and religion, until they shall be incorporated into the union, and become entitled to all the privileges and immunities of citizens of the United States. In performing this important part of my functions, I have endeavored to pursue the spirit of our political institutions. I have made no discrimination of persons—my house has been surrounded by no guards, no one has been kept at a distance by repulsive formalities, all have had free admittance, and found a ready ear, when they required my aid for the protection of their rights. The American government, at the same time that it is the freest, is perhaps the strongest in the world; because, the most wealthy and most powerful in society, are as weak in opposition to it, as the most humble and obscure. It knows no distinction between an ex-governor and a peasant. In the course of my short administration, one case has unfortunately occurred, which required the exertion of that authority which is no respecter of persons. That the necessity should have existed, has occasioned me pain and regret; and especially as it has been misunderstood by some of the inhabitants of this country, from a want of a sufficient acquaintance with the facts of the case—as well as with the character and principles of our government. It was my duty, under the treaty, exercising the government in the Floridas, to secure to the inhabitants all the evidence of their right of property.—The improper conduct of the captain general of Havana, in withholding documents or archives of this nature, from an agent expressly sent to receive them, increased the necessity of vigilance on my part. It was made known to me by satisfactory evidence, that there were documents of this character in the hands of an individual here, and that these documents were necessary to establish the right of property in this country. The fact ascertained, my duty was clear, and no alternative was left me. That individual was ordered to surrender them, so that in pursuance of the second article of the treaty, and of my proclamation, the inhabitants might be secured in their right of property. The individual thus ordered to deliver them, instead of obeying as he ought, the commands of the government under which he was protected, and which could know no superior, excepting the congress or president of the United States, shifted them into the hands of the person who lately administered the government of this province, and who had been authorized by the captain general of Cuba to surrender the country agreeable to the stipulations of the treaty. This person, whether from misapprehension, or from worse motives, considered himself not responsible for any act of his to the government of the Floridas, and appeared entirely insensible to the impropriety of not having made a delivery of these documents of his own accord. Whatever diplomatic

privileges he might have been entitled to, these privileges had ceased upon the surrender of this country, and he was then not known to me, or recognized as having any other rights than those of a common individual. It was not enough for him to consider himself a public agent of the king of Spain, and reside here for the purpose of transacting official business with the agents of the United States, but it was necessary that he should have made known the object and purpose of his stay; had he done so, he would have been informed at once by me, that my own functions having ceased as commissioner, no one but the president of the United States had any power to give him permission to remain here as a diplomatic agent, enjoying the privileges of a foreign minister. The natural consequences of his conduct are too well known, and need not be detailed.

With the exception of this solitary instance, I feel the utmost confidence in saying, that nothing has occurred, notwithstanding the numerous cases in which I have been called upon to interpose my authority, either in a judicial or executive capacity, to occasion any thing like distrust, discontent, or want of confidence, and I cheerfully take this occasion to express my satisfaction with the peaceful, obedient and orderly conduct of all those whose allegiance has been transferred to the U. States by the cession of the country. It is true, the recent occurrence connected with the one referred to, has compelled me to take measures I conceived necessary for the character, dignity and harmony of the government I administer, and which, at the same time, were the mildest the circumstances would admit. I allude to the conduct of a number of the Spanish officers remaining here after the cession, without my permission, but which would certainly not have been withheld from them so long as they demeaned themselves respectfully to the existing authorities, and refrained from any improper interference with the measure of the government. This respect is due from foreign officers in all countries—their situation is materially different from that of other aliens, and their conduct ought therefore to be more circumspect. In the United States those are severely punished, who are guilty of writing in a libellous manner of proceedings in courts of justice. For what tends to bring the judiciary into disrepute, shakes the public confidence in that part of the government, that is looked upon as the most sacred depository of individual rights. Hence, in both these points of view, without noticing the singular conduct of the Spanish officers, acting as if they considered themselves a distinct and separate body—an *imperium in imperio*—they were guilty of great indiscretion and impropriety, in publishing a most indecent libel against the judicial proceedings of the highest tribunal in the Floridas. Had I consulted my personal feelings, having entertained a favorable opinion of some of them, and enmity to none, I should have been disposed to have suffered the act to sink into oblivion. But the dignity and honor of the government forbade that conduct so outrageous, should pass unnoticed. I might appeal to those very persons and ask what would be the consequences, if a band of American officers should offer such an insult to the government of a Spanish province? But the inhabitants of the Floridas may rest assured, that whatever may be the impropriety or imprudence of some, it will have no effect upon my feelings towards the rest—the innocent will not be confounded with the guilty, and all will continue to experience the same protection and respect

for their rights, which has heretofore been extended, provided they demean themselves with that propriety which becomes every good citizen and subject; and should any of them, under the influence of momentary passion or feeling, be dissatisfied with the measures I have pursued, on a return of their sober judgment, I feel confident they will be compelled to approve.

Considerations of a personal nature, and the situation of my family, requiring my absence from these provinces for a short period, I make known that, in the meantime, the government of East Florida is placed under the charge and direction of W. G. D. Worthington, esq. secretary for the same, and that of West Florida under col. George Walton, secretary thereof. Each of these gentlemen are clothed with all the powers appertaining to the governors under the late government of Spain, and subject to such instructions as they may respectively receive from the president of the United States, through me. They are charged faithfully to protect and maintain all the citizens and inhabitants, of whatsoever description, in the said provinces, in the peaceful enjoyment of all their rights, privileges and immunities, secured to them under the late treaty with Spain, and under the constitution of the United States, so far as the same is applicable. I have instructed them promptly to punish the violators of the law, and to require of all, that allegiance to the government enjoined by my proclamation, issued on taking possession of the country.

ANDREW JACKSON,

Gov. of the Floridas, &c. &c.

Pensacola, October 6, 1821.

The following publication of the expelled Spanish officers, (says the *National Intelligencer*), may be considered as a kind of *finale* to the late incidents at Pensacola. It is addressed to the editor of the Floridian, but appears to have been refused a place in that paper; and we copy it from the Louisiana Gazette. The language of the address is extremely personal towards the governor, and we question if it had not procured for the gentlemen who used it, a destination very different from a trip to New Orleans, had it met the eyes of the governor before they were out of his reach; but it seems, by the note subjoined, very prudently to have been reserved until they were on the point of sailing:

TO THE EDITOR OF THE FLORIDIAN.

This being the last day allowed to us by gen. Jackson to remain in Florida, and being at this moment about to depart in a vessel bound to New Orleans, we conceive it to be our duty to publish to the public that we are induced to obey his orders, neither by the terror of his prisons nor by the dread of the many vexations which a judge, so despotic as he has shown himself to be, is capable to exercise against us—a judge glutting, at every expense, the vengeance excited in his breast by the firm and courageous manner with which our worthy superior, Don Jose Callava, maintained his own dignity and treated with merited contempt his furious and inconceivable outrages. We have no other wish than to make known to the whole world all the facts which have occurred since the memorable and scandalous day of the 22d Aug. last, and to pourtray, with the strict fidelity of honorable men, the being who caused them to happen. By prolonging our residence in this city, it would be impossible to attain that end: we, therefore, request you to insert in your Gazette the present note as a farewell address, and to testify at the same

time to all persons of reflection who have opposed our expulsion, the sentiments of gratitude we entertain for them; and particularly for you, sir,

We have the honor to be, &c.

M. Devilliers,
L. Gayarre,
C. Lessassier,
A. Guillemard,
C. Devilliers,
P. Vega,
M. Latady.

TO THE EDITOR OF THE LOUISIANA GAZETTE.

New Orleans, Oct. 8.

SIR: You have inclosed the copy of a paper, which by the agency of a friend we transmitted to the editor of the Gazette, at Pensacola, the 3d inst. when we embarked in the vessel now arrived in this port. We request you to give it an insertion in your newspaper; and we assure you that, as soon as our particular avocations will permit, an exact relation of the facts promised by us, shall be put into your hands, in order to remove, if possible, the deplorable impression which they have received who know not the real truth of things.

We have the honor to be, &c.

[Signed by the beforementioned Spanish officers.]

Legislature of Tennessee.

REPORT OF THE COMMITTEE ON SLAVERY.

The committee to whom was referred the petitions of a number of the citizens of this state, praying that the legislature would take into consideration the situation of the people of color, held in slavery in our highly favored and professing country, and to devise some plan and pass it into a law for their relief: such as allowing masters, who are convinced of the impropriety of holding slaves, to emancipate them on terms that will not involve themselves or their estates, for their maintenance—provided the court should be of opinion that the slaves so offered for emancipation, are, in all probability, capable of maintaining themselves.

“And suggesting the justice and good policy of the legislature—declaring, in the language and spirit of the declaration of independence, that all men are and ought to be free—and by law to declare, that the descendants of slaves, born after the passage of said law, shall be free at a given age to be fixed by said law—also to enjoin on those having the raising of such to teach them to read the scriptures and to follow some useful employment, and, also, as far as can be, prevent the inhuman practice of separating husband and wife.”

Beg leave to report, that they have had that subject under examination, and on the first proposition contained in said petition, to wit: “allowing masters, convinced of the impropriety of holding the man of color in slavery, to emancipate such, on terms not involving masters or their estates, provided such slave offered for emancipation is in a situation to provide for him or herself;” express it as their opinion that it is consistent with the rights of freemen, guaranteed by the constitution, to have, and exercise the power of yielding obedience to the dictates of conscience and humanity.

That in all cases where chance or fortune has given the citizen dominion over any part of the human race, no matter of what hue—and whose reflection has taught him to consider an exercise of that dominion inhuman, unconstitutional or against the religion of his country, ought to be permitted

to remove that yoke without the trammels at present imposed by law.

Your committee beg leave to state that, while they feel disposed to amend the law and guaranty this right, they wish it not to be perverted to the use of the unfeeling and avaricious, who, to rid themselves of the burden of supporting the aged slave, whose life had been devoted to the service of such a master, would seize the opportunity of casting such on the public for support.

Your committee beg leave further to state, that very few cases have occurred, where slaves freed, in the state of Tennessee, have become a county charge.

Your committee, therefore, recommend an amendment of the law, granting the prayer of the petition, so far as respects the young healthy slave, not likely to become a county charge.

On the second point, your committee are of opinion, that it is worthy the consideration of the legislature, to examine into the policy of providing for the emancipation of those yet unborn—liberty to the slave has occupied the research of the moral, philosophical, and statesmen of our own and other countries; a research into this principle extends wide into an evil, whose root is perhaps dangerously entwined with the liberty of the only free government. On a subject so interesting, it cannot be improper to *inquire*; therefore, as a question of policy, it is recommended to the sober consideration of the general assembly.

Your committee also advise a provision by law, if the same be practicable, to prevent, as far as possible, the separating husband and wife.

Unanimously agreed to in committee.

J PECK, Chairman.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The crops do not appear to be injured to any considerable extent, and the price of grain was rather falling than advancing—if what we see in the papers is to be believed.

We were a good deal amused with an account of the king's voyage from Ireland to England, about equal to a trip from Baltimore to Frenchtown, and to be performed in a few hours. But kings do not often "brave old ocean's roar!"

At the Dublin city feast, given to the king, (but after his retirement), alderman Darley gave the famous *Orange* toast, "the glorious and immortal memory of William," &c. This made a great stir among the Catholics present; but, before the king's departure, he had the earl of Fingal sent for, when he instructed lord Sidmouth to say, that he was exceedingly displeased with alderman Darley's conduct; so much so, that he had nearly resolved to dismiss him from a snug birth that he holds, &c. at which the Catholics were most wonderfully pleased, &c.

Before the king left Dublin, he ordered 1400*l.* of the money which he receives of the people, to be returned to them, in the shape of *charities* to different institutions.

The following is a letter from the king of England, on his leaving Dublin, to the lord lieutenant of Ireland.

Dublin castle, Sept. 3, 1821.

"My lord,—The time of the king's departure from Ireland being arrived, I am commanded by his majesty to express his entire approbation of the manner in which all persons, acting in civil and military situations in the city of Dublin and its neighborhood, have performed their several

duties, during the period of his majesty's residence in this part of the kingdom. His majesty is pleased to consider, that to your excellency his acknowledgements are particularly due. He is conscious how much he owes to your excellency's attentions and arrangements; and his majesty gladly avails himself of this occasion, of declaring the high sense which he entertains of the ability, temper and firmness with which your excellency has uniformly administered the great trust which he has placed in your hands.

I am further commanded to state, that the testimonial of dutiful and affectionate attachment, which his majesty has received from all classes and descriptions of his Irish subjects, have made the deepest impression on his mind, and that he looks forward to the period when he shall revisit them, with the strongest feelings of satisfaction. His majesty trusts that in the mean time, not only the spirit of loyal union, which now so generally exists, will remain unabated and unimpaired, but that every cause of irritation will be avoided and discountenanced; mutual forbearance and good will observed and encouraged, and a security be thus afforded for the continuance of that concord among themselves, which is not less essential to his majesty's happiness than to their own, and which it has been the chief object of his majesty, during his residence in this country, to cherish and promote.

His majesty well knows the generosity and warmth of heart which distinguish the character of his faithful people of Ireland, and he leaves them with a heart full of affection towards them, and with a confident and gratifying persuasion, that this parting admonition and injunction of their sovereign, will not be given in vain. I have the honor to be, with great truth and regard, my lord, your excellency's most obedient and faithful servant.

SIDMOUTH.

His excellency the lord lieutenant."

A reverend clergyman has been found guilty of a gross libel on the late queen; it is supposed that his punishment will be light.

The Greenock Advertiser notices the arrival in that city, of sir Gregor Mac Gregor, so well known on account of his late rank and services in South America.

It appears, from official documents, that the sum collected the *last year* in London, for the distribution of bibles and the propagation of the gospel, by missionaries and others, exceeded *thirteen hundred thousand dollars!*

Prosecutions have been commenced, by order of the lord mayor, against the London gas company, whose establishments have been declared a nuisance, it having been ascertained, beyond a doubt, that the water of the river Thames was rendered unfit for use by the gas water running into it. The report of the jury, appointed to investigate the matter, stated, that the river was contaminated to a visible extent, of at least 300 yards, from the gas stream, and that they had bottled some for experiment, and had found it poisonous to a most serious degree.

The Newcastle gas company have been subjected in four hundred and fifty pounds sterling of damages, besides costs and the amount of the surgeon's bill, for the injury sustained by a female, in the accidental explosion of the gas works of the defendants' by which a house was blown up, a child killed, and the plaintiff's wife materially injured.

Several convictions for the forgery of bank notes were lately had at the Old Bailey sessions. John Brickfield and Edward Locke, two mere children, were brought up to receive the judgment of the court, on a conviction for theft. Mr. Cons, the chairman, thus addressed them—"John Brickfield, a mere boy in size, you are a giant in wickedness; it is a dreadful thing to see a creature of your age in such a situation. It appears that, young as you are, you are actually the teacher of a little gang of pickpockets; a fact which would require a certificate of its truth where you are going. You must be transported for life. John Locke, you are to be imprisoned for three months, to be whipped three times severely, and to be fed upon bread and water." The very next case after this was of a little child for a similar offence. The boy was found guilty, and the mother interfered and implored from the court the severest sentence of the law. The chairman remarked to what a dreadful pitch of depravity the children of this metropolis were arrived, when such applications were made by parents, and, from the facts which came to the knowledge of the court, proved to be but too well founded. The court accordingly sentenced the boy to "transportation for life."

NETHERLANDS.

A Paris article states, that the king of the Netherlands has suddenly dismissed from his court, eight chamberlains, members of the states general, of whom one is the prince of Chimia, 1 marquis, 2 counts and 5 barons, all persons of the greatest distinction. "They formed part of the minority which, on the 30th of June, by 51 against 55, in the second chamber, and on the 11th ult. by 17 against 21, in the first chamber, voted against the new law of finances. In this minority, there were no other of the king's chamberlains."

SPAIN.

The papers speak of a plot that was broached in the "Fontana d'Or," a powerful political club at Madrid, (which is said to have as much influence there as the Jacobin Club had at Paris in 1793), for the purpose of bringing about a revolution in France. Several of the exiles from Piedmont and Naples, are reported as having been deeply engaged in it, among them the "famous general Boudaincourt," a Neapolitan, who has been arrested, and papers found upon him tending to shew that the plot was nearly on the point of shewing its effects. It is most probable that the whole of this matter, as reported, is a mere coinage, and without the least foundation in truth.

MADEIRA.

A London paper says, "the three deputies who have been elected at Madeira, under the new constitution, had sailed for Lisbon, and carried with them the remonstrances of the people against the enormous duties imposed by the United States on Madeira wines." It was supposed that a counter-vailing duty would be laid on certain articles, the produce of the United States.

NEW HOLLAND.

The master of an American vessel, for carrying off some persons from Sidney, has been very severely fined by the supreme court sitting there; which may serve as an admonition to others visiting that country.

TURKEY.

Protest of the provincial government of the Greeks—the Messenian senate, addressed to Philip Green, esq. consul of the mighty British empire, at Patras.

"SIR,—The just motives which compelled us to take arms against the Ottomans, in defence of our

lives and property, of which they attempted to deprive us, have been explained to you in a letter of ours, dated the 27th of March. To this you replied, through your own interpreter, Mr. Bartholem, that as long as the British government would observe a neutrality, in the contest between us and the Turks, you would remain an indifferent spectator, without taking part with either the one or the other.

"Notwithstanding this declaration, we state with pain, that we have obtained incontrovertible proofs that your conduct has not been conformable to your professions of neutrality. From the commencement of the contest, you have constantly watched all our motions and resolutions, for the purpose of informing our enemies. When the packet boat from Malta, commanded by Mr. Hunter, arrived at Patras, you sent to Prevesa to urge the captain bey to send immediate succor to the Turks at Patras; and the captain bey, in fact, despatched a brig, a corvette and a galley. You wrote also to the pacha assembled before Janina, who sent Jussuf Pacha and the Kihaya of Mahmoud Pacha, with a considerable land armament. And, moreover, you continued to send to the Turks, shut up in the citadel of Patras, intelligence of every thing that passed, by means of persons devoted to your interest.

"We have more than once summoned you to pay to our countrymen the sums due to them, in consequence of your late purchases. Although the credit has expired, you still persist in refusing the payment." You have, besides, sent your brother and your interpreter, who conducted Jussuf Pacha hither, and acquainted him with the places by which he could the most easily enter the citadel: you prepared and communicated yourself to the Turks, the distinctive sign of the cross, by which the Greeks recognize each other, that the Turks might attack us the more advantageously under this disguise.

"Finally, you advised the Turks to light in the city of Patras, that terrible fire by which all the goods in private houses, and the warehouses of the company of merchants, have been destroyed. Immediately after the conflagration, the city was pillaged by the Turks, and more particularly by those attached to your person.

"Thus have you violated the rights of nations, and followed a conduct contrary to that prescribed by the declaration of neutrality, made by your government and yourself.—You have occasioned losses to the amount of several millions; you have exposed several christians to death and captivity.

"By these presents, we protest against you, in order that, at a suitable time, you may be called upon to render an account of all the disasters and losses occasioned by you in contempt of the laws.

"Calamata, April 26, (May 8) 1821."

(Signed by the notables of the christian people of Peloponesus.)

COLOMBIA.

It appears certain that the important fortress and city of Carthagena, was surrendered to the patriots on the 23rd of September last. We now suppose that the controversy with Spain is at an end in Colombia. Montilla commanded the patriots on this memorable occasion. The city was severely cannonaded and bombarded before it was given up.

*Mr. Green gave as a reason for this refusal, that his goods had been destroyed in the burning of Patras.

PERU AND CHILI, &c.

The "Washington City Gazette" gives some extracts from Caraccas papers to the 4th of October inclusive—of which the following is the most important—

A letter dated in Truxillo, 24th June, 1821, gives some particulars not seen before. In consequence of an interview between Laserna and Sqn. Martin, it was agreed on the part of the Spaniards, to recognize the independence of Peru, and proclaim it in a convention of our [patriot] army and of the people and districts who are in our favor: that there be a provisional government of three individuals. Before this interview it was definitely agreed to acknowledge the independence of Peru; that there should be an armistice for sixteen months; that Callao and its fortifications should be delivered to us as a guaranty.

The letter-writer then relates the position of the divisions, and state of the principal officers. San Martin was about making Barranca his temporary head quarters. Arenales was in Jauja [Houha] with his division. The troops of Maynas and revolters of Otusco had been successively beaten by the troops of that department,—i. e. of Truxillo. Cochrane had taken Arica, and some of Ramirez's troops had gone over to him.

It further appears that Cochrane's squadron had actually entered Callao, in consequence of the arrangements that had been made between the parties; and it is added—that "an expedition of all the English troops in Caraccas, say 300, and 200 Creoles, embarked on board of two vessels of war, and three transports, on the 5th instant, and sailed the same day, their destination unknown; but I conjecture they are bound to Panama, via St. Martha, where they will receive a reinforcement of 1500 or 2000 men, and perhaps will be commanded by general Bolivar, in person, as by last accounts he was on his march for that place; I have reason also to believe, that a force from Guayaquil, commanded by colonel Diego Yharra, will co-operate in the capture of Panama, the fall of which I consider certain in all this month."

RIO DE LA PLATA.

It appears that the Banda Oriental is formally annexed to the kingdom of Brazil. Things were assuming more regularity at Buenos Ayres. The forces of Entre Rios had fled or been destroyed—Ramirez, the late chief of them, was decapitated. Carrera escaped, but was expected to be taken.

MEXICO.

Even at Vera Cruz there is great uncertainty as to what is the state of the capital, so long besieged. There appears to have been a battle between the parties, in which both suffered much. It seems that the country is mostly subject to the patriots, and a speedy attack upon Vera Cruz was expected, to repel which the government was making every preparation in its power.

CHRONICLE.

President Adams. This venerable citizen recently entered the eighty-seventh year of his age.

The Indian who murdered Dr. Madison, on the west of lake Michigan, as noticed sometime ago, being detected, has been tried and found guilty, and is to be executed on the 27th of next month. His counsel plead the sovereignty of the Indian tribes, as in the case of Tommy Jemmy, recently

tried at Buffalo, but the court resisted and overruled it.

Died, recently, in Upper Merion, Penn. Mr. *Adam Eve*, aged 104 years. He emigrated to this country as a German redemptioner, about 70 years ago—served out his time faithfully, went to work on his own account, raised up a fine family and left a handsome estate. Also, at Bridgeport, Con. Miss Whittemore, by swallowing a pair of scissors, in a fit of mental derangement.

Commodore Murray. The naval officers on the Philadelphia station, have resolved to erect a monument to the memory of com. Murray, lately deceased.

Midshipmen. The examination of the midshipmen at New-York, for promotion, was lately determined, and 53 passed.

A vessel from Philadelphia for Fredericksburg, with a valuable cargo, lately went ashore in a heavy gale, on the Middle Ground of Cape Charles. The master and his crew succeeded in saving some of the property on board, and while watching it on land, a person of the name of Griffin, residing close by, seized upon and attempted to carry off some of it. He was pursued by a sailor—a scuffle ensued, and the sailor was stabbed in his right breast, so that he almost immediately died. Griffin was taken into custody and committed to answer for his crimes.

Florida. Previous to his leaving Pensacola, the military officers there united with the citizens to give a dinner to gov. Jackson. The following toast may indicate the sentiment which is entertained of a probable event: "The state of Alabama—we love her as a sister, but would not be wed."

Fire. There was a destructive fire on the 25th ult. at New-Brunswick, N. J. which broke out in a druggist's store, and was occasioned by "a candle communicating with the vapour of some varnish that had been made during the day."

Money cheap. The N. Y. canal loan of 400,000 dollars, to bear 5 per cent. interest, has been taken by the banks in Albany, at 103 65-100 cash for 100 dollars in stock.

New-Jersey. Isaac H. Williamson, esq. has been re-elected governor of this state, without opposition.

Ohio. There are now printed in the state of Ohio forty-two newspapers. Forty-two years ago there were scarcely as many inhabitants of the territory comprised in the state that could read a newspaper.

Ladies' bonnets. It is stated that the most elegant bonnets, made in the eastern states, after the manner of the Leghorn, out of spear or wire grass, and of the very best quality, each cost a young lady two or three months of active industry; but these generally sell for 30 or 40 dollars a-piece, and will last several years, with care—if the fashion does not change!

An eagle was lately killed on a mountain in Farmington, Con. whose wings, when extended, measured seven feet, and his talons were capable of grasping an object twenty inches in circumference.

Early winter. On the 19th ult. there was good sleighing in Maine!—the snow was eight inches deep.

Corns. The application of a rag dipped in spermaceti oil, is said to be a cure for corns of long standing.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT 45 PER ANNUM, PAYABLE IN ADVANCE.

The editor will make a severe attack upon the patience of his readers next week, if nothing unexpected occurs, by presenting to them a large body of "Desultory Remarks," on matters and things of much interest, as he believes, to the public.

In the case of *habeas corpus* before judge *Brockenbrough*, in Virginia (see page 181,) certain strong constitutional points are again considered. Verily, we think it might be well to have an over-hauling of what are the rights, powers and duties of the general government and those of the respective states, that each may move in their own orbits, according to the intent and meaning of the confederation. There are several great questions that ought to be settled by higher authority than the opinions of the United States or states' courts. We would not lessen the rightful respect that belongs to the judiciary—The judges, in general, perhaps are among the ablest and most honest men that are among us—but in all countries, and at all times, in matters of a political nature, it has too commonly happened that they have leaned towards the party or power that held the purse-strings, and dispensed the honors of a kingdom or state. This is human nature, and unfortunately belongs to every class or condition of men; it is against the operation of this almost universal propensity, that the people, the *tax payers* and *musket-bearers* of a nation, should always be on their guard.

We have some share of pride in seeing the REGISTER quoted in this law case—its accumulating volume of matter will render it more useful in this way in future, and we shall not fail to record things for reference as heretofore.

The message of the governor of Kentucky to the legislature of that state, though of considerable length, is inserted entire, as presenting some important views on the benefits or effects of a paper currency, &c. On every great subject of political economy, we desire to furnish our readers with the different opinions that are entertained about them.

THE MAIL. Another attempt was made to rob the mail between Stafford C. H. and Fredericksburg, Va. on the morning of the 12th inst. The villain built a blind on the side of the road, from whence he deliberately fired at the driver, but happily missed him. It is said to be evident that three bullets were discharged from the piece! Great efforts were making to arrest the wretch.

MARYLAND UNIVERSITY. The Medical College at Baltimore is gaining a very lofty reputation. We understand that there are already more than two hundred students attending the lectures, which have recently commenced.

POSTAGE. The U. S. circuit court now sitting in Baltimore, decided on Monday last, that the distance between this city and Philadelphia being less than one hundred miles, consequently witnesses, who reside in the latter city, may be required to be personally present in Baltimore under the usual process of subpoena, attachment, &c. If this

is the fact, and surely the judges must know all about it, ought not the rate on the postage of letters to be reduced to 10 cents?

GOLD. Some idea may be formed (says the "Democratic Press") of the quantity of gold sent out of the United States to pay for *foreign manufactured goods*, when it is known that a single house in Philadelphia, has, within nine months, sold a MILLION OF DOLLARS in gold to be shipped for England; yet bills on England are 10 per cent. above par.

SPECIE. It is computed that specie to the value 5,000,000,000 dollars, has been transported from the new world to the old since the discovery of the former, of which it is supposed that the famous Potosi yielded 399,619,000, in 93 years, before 1638.

BANK DEPOSITES. A quantity of gold was lodged as a special deposit in the Essex bank at Salem, sometime ago—when that bank was robbed this parcel of gold was taken. The owner instituted an action at law to recover its value—but chief justice *Parker*, of Massachusetts, gave the opinion of the court in favor of the bank.

BRITISH IMPORT OF FLOUR. As we observe some mistakes of the condition on which flour and grain from the United States may be imported into England, for home consumption, it may be well to say a few words on the subject.

In consequence of the heavy requisitions on the landed property of Great Britain, as to taxes and poor rates, and for the support of priests of the established church, it is absolutely necessary to their payment that the home-market should be secured to the British farmer, else these taxes, rates and impositions cannot be paid. Bread stuffs, even from British colonies, cannot be imported, unless on bond for exportation, until the average price of wheat is 67s. per quarter of eight bushels, each weighing, or computed as weighing, 70lbs. nor from any other country until the average of the quarter shall amount to 80 shillings. This average is determined four times in a year, by returns of the prices of the article in certain districts of the country, which reported prices are oftentimes raised or depressed by different sorts of speculators—the agricultural interest striving to keep down the apparent average, and the commercial and others practising means to raise it: so that when the real honest price of wheat nearly approaches the limit, the question whether the ports shall be opened or not, mainly depends on the dirty acts performed by the opposing parties, to depress or exalt the price for a current quarter, which regulates the proceedings of government as to a subsequent one. Thus, if wheat should be at 79s. per quarter in December, 79s. 6d. in January, and 80s. in February,—the average of the three months not being 80s. the ports would remain closed for the ensuing three months.*

*The periods at which the averages are determined, on which the opening of the ports depends, are the 15th February, May, August and November.

The British quarter of 8 bushels, is calculated as weighing 560 lbs. equal to 9 1.3 bushels of the estimated weight of our bushel of 60 lbs.—so that when the nominal bushel in England is worth 10s. sterling, that in the United States, at *par* quantity and value, will be worth (nearly) 103d. or 8s. 7d. sterling, about 190 cents. In March, 1812, the price of wheat at Liverpool was 19s. 4d. for the bushel of 70 lbs. and the farmers then could easily pay their taxes—a few years ago it fell to less than 4s. and then the jails could not hold the people that were sent to them. Such is the effect of the price of this commodity on the interior condition of a country, for the reasons stated in an article in the last REGISTER.

KENTUCKY—*Bank of the commonwealth.* The amount of notes discounted by this institution, up to a recent date, was \$2,380,412—and of notes issued by it, \$2,357,216. Besides the principal bank at the seat of government, there are twelve branches.

KIDNAPPING. A certain *Levin Anderson*, charged with kidnapping two free negroes, was caught and tried in Dorchester county, Md. and sentenced to keep his brother company in the Maryland penitentiary for the space of five years. The brother was convicted in April last for the same offence.

WESTERN TRADE. It is stated in a late *Wheeling Gazette*, that six hundred waggons have arrived at that place alone in the last six months, from the Atlantic country, laden with merchandise. What is the amount at Pittsburg and other ports on the western waters?

THE PENITENTIARY SYSTEM seems to have failed to accomplish what its humane founders hoped for. In New-York, &c. when any great crime is committed, the police-officers, seeking for its authors, always enquire who was lately discharged from the institution there? No doubt, incalculable injury is suffered from the mixing of the comparatively innocent with the obdurally guilty. To the former, perhaps, the chief part of the accommodations hitherto extended, might be continued—but those guilty of deliberate crimes should be put in the cells, and bear the misery of their own reflections undisturbed. If this change is not effected in the system, it is apprehended that it will go into disrepute—an event much to be deplored.

"BANKS AND A NATIONAL CURRENCY." We have received another letter from the gentleman whose letter about banks, &c. we took the liberty to publish in the Register of the 27th ult. which it now seems that he did not design for publication, tho' he excuses it. He notices two errors of some importance towards the close, page 133; it is said, "the scarcity of money checks imports" and the writer meant to have added, *but it encourages exports.* And the word "or" is used for as in the 5th line from the end—the sentence should read thus: "It is not so important in what the money currency consists, as that it should be at as high a rate of value as that of other countries."

It is with much satisfaction that we learn from the present letter, that the writer [who has much power to act], agrees with me that it will be right in the people to kick out of congress, all that favor the borrowing system to pay current expenses. He says that he will be "one of the first to commence the kicking out" and oppose that system

"even though the government should stop and give the people the trouble of beginning a new one"—so much against the *system* it be. This is excellent. Common sense has not altogether departed from the land, and there are yet many thinking republicans among us. *Nil desperandum.*

"THE CONSTITUTION." The editors of the "National Intelligencer" have published the observations which we made on the constitution, as differently interpreted and acted upon, as to the making of roads and canals and removing the obstructions of water courses, &c. in the "Register" of the 3d inst. prefaced by the following complimentary remarks:

"There is a great deal of good sense, in our estimation, in the following article. We are glad to hear the voice of the Weekly Register in favor of the execution of works of internal improvement, of a national character, by the government of the union. They are for the common benefit, and ought to be executed at the common charge. We speak of such works as the projected canal to unite the waters of the Delaware and Rariton; that to connect the waters of the Delaware and Chesapeake bay; that to connect the Potomac with the waters of the Mississippi, &c. &c. We would also specify the canal to connect the Hudson with the waters of the lakes, had not the rich state of New-York herself spiritedly undertaken it; and, even as it is, we would willingly see the United States contributors to that great work. We are truly rejoiced at the acquisition of so important an ally in a good cause as the popular and intelligent editor of the Weekly Register, who has clearly shewn, in the following article, that the power to make roads and canals ought to belong to the general government, and has been substantially exercised."

We notice this article to express our pleasure in being re-assured that the editors of the "Intelligencer" agree with us in this great matter, about which we have always entertained the same opinion; though that opinion was opposed by the *veto* of Mr. Madison, and the prospective one also of Mr. Munroe; with either or both of whom we hold the sentiment that we have a right to differ—if we please; though much respect should be paid to the judgment of such men.

☞ Since writing the above, we notice that the editor of the *Richmond Enquirer* has assailed our doctrine, and attacked the editors of the "Intelligencer" for holding the same opinion with us. The latter are able, and, we hope, will reply to him—we have not time this week, and our room for the next seems engaged.

THE NEW-YORK CONVENTION closed its arduous session on Saturday last. We shall, in our next paper, publish the amendments to the constitution, which, on the final vote, were almost unanimously agreed to—ayes 97, nays 7.* This furnishes the best possible evidence, we should suppose, that the different propositions have been wisely considered, though we ourselves, not having read much of the voluminous proceedings entertain no opinion of our own respecting them.

At the close of the convention, its thanks were unanimously voted to Mr. Tompkins (vice president of the U. S. and president of the convention,) for the faithful and impartial discharge of his duties; in return for which he delivered the following address:

*The nays were, Messrs. Jay, Jones, Rhinelander, Sylvester, Van Horne, Van Ness and Van Vetchen

"Gentlemen—I am penetrated with a due sense, not only of the honor conferred by your selection of me to preside in this highly respectable body, but also of your kindness and regard manifested by the unanimous resolution, which you have been pleased to adopt at the close of the solemn duties which the people have committed to us.

It is my sincere hope that the approbation of this community may crown the result of our consultations, and that it may accomplish the momentous objects for which we have been assembled, and redound to the liberty, tranquility, and permanent welfare of our constituents and of posterity.

Whilst I tender to you an affectionate adieu, indulge me, gentlemen, in a fervent expression of my fervent acknowledgments for your uniform support and approbation, and of my best wishes for your respective happiness and prosperity."

FROM A NEW-JERSEY CORRESPONDENT. "Free enquiry is the friend of truth," and, though we may agree in the abstract to all that is said by our friend in New-Jersey, there are some of his remarks that we do not accord with as particularly beneficial just now. We are decidedly opposed to a large naval establishment and to the erection of many heavy ships, but it seems to us that a certain limited number of them may be economically constructed for the defence of the coast—for reasons hitherto set forth at length in this paper. But our opinion does not constitute the right of any matter; nor do we ever wish that it should be so regarded.

Extract from a letter to the editor.

"I have perused, with great attention, many essays in your valuable Register on the 'meaning of words;' on political economy; on the state of the treasury; on the navy, &c. &c. and cannot but think that much good will result to the nation from their extensive publication.

"To save our country, a new party must be formed—a party in opposition to the present ruling party in the national and most of the state governments. A sleepless vigilance only can guard the liberties of a nation, and that vigilance can be kept up only by an excitement equal to that which agitated the public mind from 1798 to 1815. The state of political and civil liberty may very aptly be compared to a tempestuous sea: the vessel and crew can only be saved by constant efforts; while, in the calm of despotism, no efforts are required, or, if made, are too generally unavailing; for, during the calm, the wished-for haven is not reached.

"But, to drop the language of metaphor and speak in the plain, homespun and unsophisticated style of an American, who loves his country and desires its prosperity, I make the following remarks and observations:

"First.—That our governments, state and national, both in their executive and legislative departments, have fallen into an extravagant style of expense, as little adapted to the simplicity of our republican institutions, as to the peculiar circumstances in which our country was placed by the return of a general peace, after a war of twenty-five years' duration, in which nearly all the civilized world was engaged.

"Second.—Our citizens have calculated that they could be the purchasers and consumers of an almost incalculable amount of foreign products and manufactures, without taking into consideration how these were to be paid for, when almost every article of the product and manufacture of the U. States was excluded from all foreign markets.

"Third.—Our national government calculated up-

on deriving a revenue from the importation of foreign merchandise, equal to the most extravagant expenditure, and adapted its expenditure to this extravagant calculation, thereby leading the nation to the verge of bankruptcy, because our importation and consumption of foreign commodities has greatly lessened, from our inability to pay for them.

"A truth essential for all statesmen, politicians and economists to know, seems to have been forgotten in our country—namely, that all men labor according as they find a market for the products of their labor, and that, in proportion as the labor of any one is rewarded, such one will be both more able and more willing to reward the labor of others. We cannot dwell too long on this truth; we cannot place it in too many forms before the public, nor enforce it by too many modes of reasoning on the subject. It is the alpha and omega of political economy, that, in proportion as each branch of industry is encouraged, it becomes a stimulus to each and every other.

"The desire of possessing the necessities, conveniences and luxuries of civilized life is so powerful, and its stimulating influence so irresistible over most men, that no limit can be set to their industry, and to the exercise of their ingenuity, provided all the fruits of their industry and ingenuity can find a ready market, and be exchanged, directly or indirectly, for something contributing to their convenience and comfort, or to the gratification of their pride and vanity.

"If Mr. Niles had no customer for the Register but himself, its publication would cease; and how many trades and manufactures would cease forever, if the consumption of their products was confined to those immediately concerned in them?

"Such is the desire of the American people for necessities, conveniences and luxuries; such their pride and vanity, and such their facilities for manufacturing and for exchanging commodities, by reason of their inexhaustable supply of materials, and their numerous streams of water, convenient for manufacturing and for navigation, that no limit can be set, in the imagination, to the extent of their industry, if properly encouraged and protected. The manufacturing industry of the United States ought, in a few years, to exceed that of England; its internal commerce that of China.

"I intended, when I commenced this letter, to remark upon much of the policy which the general government has pursued which it ought not to; much that it has neglected to do, but which it ought to have done; to have remarked upon our situation as it now is, and as it ought to have been; and to have commented upon these strange infatuations or delusions under which a whole people sometimes labor; but what is the limit of a letter? Nothing. Many volumes, of considerable extent, could not contain all that ought to be said.

"However, I say *nihil desperandum*, and proceed with a few remarks, if I cannot make many. At one time we, (not myself however), were navy-mad for a *pigmy* species of armed vessels—[gun-boats]. Now we are navy-mad for giants—[ships of the line]. Both of these are equally ill-adapted to our situation, to our wants and our security.

"We can compel the 'DEEP and profound respect' of all the great maritime powers, (*who, necessarily, are extensively mercantile*), by such a force, (swift-sailing vessels, well armed and manned), as will depredate most extensively on their commerce. We can compel the respect of pirates by such a force, (same as the above), as can catch them and bring them into port,

"The two above-mentioned, namely, the great maritime powers and the pirates, are the only enemies we have to fear, and against those neither GUN-BOATS OR SHIPS OF THE LINE afford any adequate security.

"I state it as a fact, that the value of all the mercantile vessels and their cargoes, captured by gun-boats and ships of the line, since the expedition of the Argonauts, will not equal the cost of the vessels built to capture them.

"I state as a further fact, not susceptible of contradiction, that all the pirates captured by ships of the line and gun-boats, since the days of Barbarossa, do not equal the number of ships of the line and gun-boats built within the same period.

"No nation ever has long possessed an extensive warlike marine, or ever will long possess one, without an extensive mercantile marine; and through their commerce such nations will always be assailable, and more effectually so, by a kind of force adapted to sail fast, to capture unarmed or weakly armed merchant vessels, and to escape from heavy ships of war.

"The foregoing remarks briefly shew how ill-adapted two species of our maritime force is to the objects sought to be accomplished by it; perhaps, close investigation would shew them equally ill-adapted to the accomplishment of another important object, namely, guarding our coast; or the entrance into our rivers, bays, and harbors.

"In the first place, to do equal and exact justice to all, our whole line of coast from the North-East corner of Maine to the South-West corner of Louisiana, should be guarded; and to do this effectually against a maritime power like that of England, would require an expenditure in vessels nearly equal in expense to the nett proceeds of all the land below the mountains, if sold, and when built we never could man them.

But secondly, no effectual or serious invasion of our country can ever take place, unless the enemy can enter, with large vessels, into some inlet or the mouth of some bay or river, where the *breakers of the ocean do not reach*, and where they can anchor safe from storms.

"And thirdly, every inlet, and the mouth of every bay and river, where they put in from the ocean, could have been effectually guarded against any enemies, by the erection of durable works, at a less expense than has been already incurred for the joint purposes of fortifying such inlets, and building heavy ships of war;—and the work of defence is still very far from being complete.

Fourthly—Works of defence, permanently erected at the mouths of our inlets, bays and rivers, would be infinitely more durable, and incomparably less costly as regards their annual expenditures.

"I have extended my remarks on this subject beyond what I first intended, for it is one of infinite importance to the nation, and one on which the greatest errors seem to prevail. A navy mania seems to pervade the land; and unless a remedy can be provided, countless expenses, without the accomplishment of any important object, will be incurred.

"You ask perhaps, how is it possible a whole people should be deluded and deceived in a matter of so much importance? I answer, it is the interest of some, of some who are good men and of many who are influential men, that these errors should prevail, and who are they that will sacrifice important personal interests to correct principle? Very few. A few interested and influential men,

can soon spread far and wide the dominion of error, stimulated as they are by powerful personal interest so to do; while those who are to oppose the prevalence of error, individually, feel but a small interest in opposing it:—Witness the success of the arguments used for and against the establishment of banks; for and against protecting domestic manufactures; for and against the extension of slavery, and on various other important subjects.

FORGERIES. The *Washington City Gazette*, of the 3d inst. gave us the following account of certain late robberies of the treasury of the United States:

The trial of *Henry Wright* and *Robert Smith*, yesterday, in the circuit court, excited a lively interest. It is believed that they (the former especially) had defrauded the treasury to an unknown extent, by forging soldiers' claims for bounty-lands, &c. &c. They had mustered the dead, and made widows of the unmarried—all on paper, &c. certified in due form, and extended their ravages from North Carolina to Tennessee. *Wright* was originally in partnership, (it is believed,) with *Watson*, now deceased; next with *Brown*—and at present carries on the forgery business, wholesale and retail, under the firm of *Wright and Smith*.

Equal audacity, plausibility and victorious ingenuity, we have never witnessed. It is suggested, but not by us, that an *indulto* would probably open scenes of enormous iniquity, through the confession of the culprits, by which the government might yet save large sums.

Arguments on law-points being yet pending, we only observe that a special verdict was brought in, finding the prisoners guilty of forging certain papers, &c. and directing the same through the post office in Tennessee, to the city of Washington: the question of law remains as to the place where the crime, in its inception or accomplishment, may be technically said to have been perpetrated. We, therefore, unlearned as we are in the quilllets of the law, will not venture, in so delicate a case, even to wish that the jury had brought in a general verdict of GUILTY. A fuller statement shall be given when it is proper; but we wish that some gentleman would furnish a complete report of the trial—a trial disclosing such cool criminality.

We would have noticed this subject before, for sake of eliciting observations on the best means of preventing frauds on the public offices, but were unwilling to say any thing prejudicial even to culprits.

NAPOLEON BONAPARTE. From a editorial controversy between the editors of the *Boston Centinel* and *Franklin Gazette*, we are enabled to gather some facts as to the concern, if any, which the government of the United States had in sanctioning the imprisonment of Napoleon Bonaparte on the rock of St. Helena.

The editor of the "*Centinel*," it seems, true to the cause of "legitimacy" and ever zealous that we should have some of the merit of imprisoning and destroying Napoleon, and noticing an assertion, made by a foreign writer, that the United States had been accessory thereto, adducing the fact that our government agreed, in 1815, to suspend the right which we held by treaty to touch at St. Helena, adds, "the United States *did agree* to the article mentioned, and thereby exhibit a *laudable desire* to ensure the repose of the world, and the least that the friends of the last administration say on the subject the better." For the genuine loyalty of the *Centinel*, the editor of the *Gazette* pretty

severely speaks about the "Hartford Convention" and things of the like sort, to shew the consistency of Mr. Russel as to the matter at issue, and explains the fact thus: "The commercial convention of the 3d of July, 1815, had been concluded with the British government, and had been ratified; when, on the exchange of ratifications at Washington, on the 24th of November following, Mr. Anthony St. John Baker, presented a "declaration," stating that it had been determined by his government in conjunction with the allied sovereigns, that St. Helena should be the place allotted for the future residence of Napoleon, and that "as well British ships and vessels, as others" should be excluded from that island whilst he remained a prisoner there. He said he could only exchange ratifications on that condition. The right of touching at St. Helena was explicitly "for refreshment and not for commerce." The right had not been enjoyed under the convention, because the convention had not previously been in force. The only question presented to the American government, therefore, was, whether it was worth while, for so small an exception, to reject all the provisions of the convention. To have refused the whole would not have saved Napoleon; because the allied sovereigns had "determined" to imprison him somewhere. The United States were not bound to enter into his quarrel, but the moral reprobation, which the free press of this country have uniformly expressed of that murderous act of the British ministry, is amply sufficient to shew the light in which the American people view it."

The *Centinel* rejoins and, after some prefatory observations, says—"The fact we intended to note was "That the convention between the United States and Great Britain, as ratified in July, 1815, did contain an article allowing American vessels to touch at St. Helena, and that in November afterwards, the British government, through Mr. Baker, their minister in Washington, did propose to the American government to waive the privilege, and exchange ratifications without it, because St. Helena had been fixed upon by Great Britain and her allies, as the place of confinement of Bonaparte, and that the American government did consent to the waiver of the privilege, so long as Bonaparte remained a prisoner there.—This was the simple fact we recorded; and we had the right to infer, that the ready waiver by the American government, of the convenience stipulated for in the original treaty, originated in a laudable desire to ensure the peace of the world," by the safe-keeping of its common disturber." But goes on to deny having stated there was any negotiation as to "Bonaparte's imprisonment"—knowing that no such negotiation could have existed.—but for consenting to this "waiver," the world had a right to give us the credit of having contributed our share to the measure of general safety, from which the world has derived so much benefit.—and so far we were accessory to his confinement in the safest place, &c. and then follows a good deal of loyal or royal matter—not quite fitted to this "era of good feelings!" But all that we wish to have to do with the matter just now, is to present the opposite statements, believing that the facts noted are of some interest at present and will be often referred to hereafter.

Difficulty of apprehending the value of high numbers. As very high numbers are some what difficult to apprehend, it may not be amiss to illustrate, by a few examples, the value of the words million,

billion, trillion and quadrillion:—Suppose that a prisoner reckons a hundred pieces to a minute, and continues to do so twelve hours in each day, he will take fourteen days to reckon a million. A thousand men would take thirty eight years to reckon a billion. If we suppose the whole inhabitants of England and Wales have been constantly employed in counting money since the birth of our Saviour, they could not have as yet reckoned a trillion. Though we admit the earth from its creation to have been as populous as it is at present, and the whole human race to have been counting money, without intermission, they could scarcely as yet, have reckoned the five-hundredth part of a quadrillion of pieces."

[Morrison's com. arith.

National Law-Case.

From the *Richmond Enquirer*, of Nov. 6.

Commonwealth of Va. } An application before
vs. Judge Brockenbrough to
The jailor of Henrico } discharge three seamen
 } upon a writ of habeas cor-
 } pus.

This case came before judge Brockenbrough on Friday, by virtue of a writ of habeas corpus which he had issued on Wednesday. William Pool, and two other seamen, had been committed to jail by Mr. Joseph Mayo, a magistrate for Henrico, on complaint of the captain of the vessel, which they had entered in the port of Boston, and had now deserted. They were brought up before the judge. Their counsel produced testimony to prove that these were American citizens; from which, they contended that these did not come within the description of seamen whom a magistrate might commit for desertion, according to the laws of Virginia. (See 2d Revised Code, p. 131, which is confined to seamen *not citizens* of this commonwealth, or of the United States.)

The captain then suggested to the court that these seamen were committed under an act of congress

Messrs. Robert G. Scott and James D. Riddle for the applicants, stated that these seamen are citizens of the United States, and, therefore, are not within the operation of the law of Virginia; see 2 Rev. Code, p. 131. They belong to the brig Washington, captain Dolivar, of Boston, and are committed, as it is alleged, under the act of congress: *Ingersoll's Digest*, p. 744. This commitment is signed by Joseph Mayo, a magistrate for the county of Henrico. Upon these facts, the counsel for the prisoners contended—

1. That the magistrate acted judicially in committing.
2. That, acting judicially, the magistrate of a State has no right to execute this law of the United States.
3. Whether acting judicially or ministerially, the laws of Virginia have declared the incapacity of the magistrate to perform any function or duty appertaining to any office, place, or appointment, under the authority of the United States. [See 1 Revised Code, p. 71.]

To sustain the first proposition, it was urged, that the term *judicial* imported an exercise of the judgment and discretion; that, to justify the magistrate in committing, he must consider, judge, try, decide; he must hear evidence against the accused, and decide upon its efficiency; and, if the accused require it, he must hear any exculpatory evidence that may be introduced—and, in this particular, the

powers of the magistrate are far greater and different than those of a grand jury, and by it are mainly distinguishable. It was, however, said, that this was not a question open and undecided; for, in the case in 3d Dallas, page 42, of an application in the supreme court of the United States for a mandamus to judge Lawrence to issue his warrant of apprehension, the court decided that the refusal of this judge to issue his warrant was a judicial act, and refused the mandamus on that ground. This case was much relied on; and from thence it was argued, that, if it be a judicial act to issue a warrant for apprehending a person charged with an offence, it is much more so after having such person before him, for the magistrate to hear the evidence for and against the accused, and to decide upon his guilt by directing his commitment.

The opinion of judges Bland and Hanson, in Almeida's case, 12th vol. of Niles' Register, pages 114 and 231, was relied on as recognizing and approving the decision in 3d Dallas. While these cases seemed to decide all the counsel desired, they admitted there was one authority, of deservedly high character, opposed to them, viz. the opinion delivered by judge Cheves, in Rhodes' case, 12th volume of Niles' Register, page 264. It was contended that this decision was not law, being not only opposed to that of the supreme court, in judge Lawrence's case, and to judge Bland's and Hanson's, in Almeida's case, but also upon one question discussed and decided by it, to the very respectable and able opinion of judge R. E. Parker, of Virginia, in the case of the crew of the General Rondeau at Norfolk.

Upon every view, therefore, there seems to have been a judicial act on the part of Mr. Mayo. But this is a much stronger case than either of those relied on or cited. In judge Lawrence's case, in Almeida's case, and in the case of Rhodes, it was the incipient and ancillary measure to bring the accused before another and a higher judicial tribunal, and that speedily too; here, however, according to the act of congress, the magistrate acts finally and conclusively; there are no ulterior measures to be adopted; no other examination; no further opportunity for defence: the magistrate hears, decides, and commits; he interprets the contracts between the parties; he decides upon their obligations; he pronounces whether they have been violated; he denounces a forfeiture of liberty on the part of one of the contracting parties, deprives him of that liberty, and commits him to jail. From this important power, thus exercised by a single magistrate, *virtute officii*, there is no appeal. And can it be for one moment believed that, in this particular case, where so much unrestrained and uncorrected authority is exercised, the magistrate does not act judicially?

2. If it has been shewn that the magistrate acted judicially in this case, the question recurs, can a magistrate, in his judicial character, execute this law of congress?

It is contended that he cannot—congress can alone create a judicial tribunal in the manner prescribed by the constitution: the appointments must be made by the president, (see article 2nd, section 2nd), not by congress. Here the individual holds neither an appointment nor a commission from the United States; he acts in virtue of his office of a magistrate of the state of Virginia. He is irresponsible to the government of the United States—it cannot claim of right his official services: and if not, it is a mere requisition upon the magistrate, which he may or may not obey at his pleasure. This would

be subversive of the principles upon which the constitution of the United States was founded; and we should be retrograding to the condition we were in under the articles of confederation. This point was urged also as sustained by the decision in Feeley's case, p. 321 of the Virginia Cases.

The 3d point was declared as settled by the language of the act of assembly; [see 1 Rev. Code, p. 71.] Virginia was anxious to keep her executive and judicial officers free from, and unconnected with, this gigantic and powerful federal government. To effect this end, the act referred to was passed in 1796, and had continued (*nearly what it now is*) on the statute book for the last quarter of a century. If, however, the congress of the United States may, not by appointment in the constitutional mode, but by law, convert your state magistrates into United States' officers, either judicial or ministerial, the statute becomes a dead letter; nay, worse, for, by its continuance, it becomes a temptation to congress to evade its provisions, by taking, as they virtually have done in this law, the power of appointment into their own hands; and we may live to see the day when the judges of our general court may be called upon to perform ministerial, and our state executive to perform judicial duties.

If this act of assembly has any effect, it prevents a state officer from acting in either a judicial or ministerial capacity, under the authority of the government of the United States; and, therefore, whatever the rule may be in Maryland or South Carolina, it is different here, &c.

In the course of the argument, it was stated by one of the counsel, (Scott) that he had been informed the 1st question had been decided in New Hampshire in the same manner judges Bland and Hanson had decided it in Maryland.

The judge took time to examine the question.

Yesterday the judge determined to adjourn the case to the general court, it being of novelty and importance:—and in the mean time, admits the seamen to bail.

There are few questions in the whole range of the judiciary department, which are so important as the one now before us. The general court meet on the 15th inst. and we shall be sure to report their decision upon it to the public.

Important Law Decision.

(Reported for the *Western Herald*.)

Supreme court of the state of Ohio for Jefferson county, October term, 1821; present PRAISE, chief justice, and HITCHCOCK, judge.

The state of Ohio vs. Elizabeth George.

This was a prosecution, by indictment, against the defendant, a woman of color, for the murder of her infant.

The traverse jury being impanelled and sworn, the counsel for the state offered Mary Cooper, a black woman, as a witness, to prove the fact of the killing. The counsel for the prisoner objected to her being sworn as a witness, on the ground, that she was rendered incompetent to certify in the cause, by the statute of this state, amendatory to the act, entitled an act to regulate black and mulatto persons. The section of the law, upon which the objection was founded, is in these words:

"Be it further enacted. That no black or mulatto person or persons shall hereafter be permitted to be sworn, or give evidence, in any court of record, or elsewhere, in this state, in any cause de-

pending, or matter of controversy, where either party to the same is a white person; or in any prosecution which shall be instituted, in behalf of this state against any white person."—The witness offered in this case was pure black, and the prisoner was admitted to be a quadroon or one fourth black. It was contended by the counsel for prisoner, that the term mulatto, made use of in the statute, did not include all the different grade, of people of color, between white and black, but was confined to half bloods, or the offspring of a white and black; and that such had been the decisions of the courts of this state;—and that, as a consequence, this defendant, not being a black or mulatto, was to be considered as white, and entitled to all the privileges of a white. It was also claimed, that the intermediate grades, between black and mulatto, were to be considered as black. It was admitted on the part of the state, that it had been decided, that the term mulatto extended only to half bloods. But it was claimed, that in putting a construction upon the statute law in question, two questions arose—

1st. Who were included in the terms black and mulatto, and therefore disabled from testifying?

2d. Who were included in the term white person, and therefore entitled to the privilege of excluding blacks and mulattoes from testifying against them?

It was admitted by the counsel for the state, that when the legislature excluded blacks and mulattoes from testifying, it might be a fair construction of the statute, to suppose that they intended also to exclude the intermediate grades between blacks and mulattoes; because there would be the same reason for excluding those who were more than half black, as there would be for excluding mulattoes.

But it was urged that the legislature, in describing the cases where the disability was to operate, had made use of the term white person alone—that the term white person, in common parlance, meant one who had no mixture of black blood, and was used in contra distinction to persons of color, or those who were wholly or in part black. There was no instance, in any dictionary of the English language, or in any other book, where the term white person was not limited to those who were pure white: that the distinctions which exist in society, and which were the occasion of passing this law, did not authorize the placing of quadroons in the same class with the whites: that, if the legislature had said, that blacks should not testify where mulattoes and whites were parties, it would have been a just construction of the law, to have included the intermediate grades, but not otherwise.

The court supported the objection to the witness and the prisoner was acquitted; there being no other testimony against her.

This decision is important; because it settles the principle, that quadroons, and others of an intermediate grade between whites and mulattoes, are entitled to all the rights and privileges, and subject to all the liabilities of white persons:—or, in other words, are in law, to be considered as white. They are liable to be called upon to do militia duty, and work upon the highways:—and have a right to vote at all elections, equally with whites; and may be appointed to, and hold any office in the state.

Labor-Saving Machinery.

FROM THE AURORA.

It is not quite fifty years since the machinery of Arkwright, and Bolton & Watt, were added to the

productive mechanical powers which existed in England. At that period a much larger proportion of the population of Great Britain was engaged in agriculture than manufactures. In 1792, the whole amount of the population may be estimated at fifteen millions.—By the population act of 1811, it appears that in Great Britain, there were 895,998 families employed chiefly on agriculture. On manufactures and trade 1,129,049. In the army and navy 640,500 individuals—and families engaged in no productive employments 519,168.

The scientific power in 1792 was, nevertheless, even then very great; perhaps three times as great as that of manual labor, leaving ordinary mills, and the tools of ordinary arts out of the amount of the labor saving machinery. In this case the manual labor may be computed at 3,750,000 men, and the scientific at three times the amount, or 11,250,000, making the aggregate power equal to the labor of 15,000,000, which was the actual population at the time. The population in 1817, was calculated at 18,000,000, or an increase of 3,000,000 in 25 years.

But, since *Arkwright's* inventions, and the improvements thereof, the productive power of labor and art united, has been equal to 200 millions of men—instead of fifteen millions, or more than thirteen times greater in twenty-five years; while the population was increased only one fifth.

The following synopsis will, perhaps, render the operation more conspicuous.

Population of Great Britain increased from 15,000,000 to	18,000,000
Manual labor from one fourth of 15,000,000 to one third of 18,000,000 or	6,000,000 men
New scientific power created equal to the productive labor of	200,000,000 men
Scientific power in 1792, at three times the manual labor	11,000,000

The aggregate productive power in 1817

217,000,000 men

Or, in proportion to the population of 1817, as twelve and a fraction to one. Whence it follows that Great Britain in twenty-five years, gained from labor saving science the power of increasing her wealth to an amount twelve times more than she possessed, when the French revolution commenced.

These facts are indisputable. The consequences may be pursued by the plainest understanding. Every nation in Europe has labor saving machinery. France, Switzerland, Germany, Italy; and there is a moral impossibility of succeeding in any attempt to impede their universal diffusion and adoption. There is a moral necessity as well as a principle of desire for their adoption; since the procuring of what is desirable or necessary, at the least sacrifice of price, will operate on those who mean to profit by consumption; and they will seek those means which will afford them twelve times more productive power, than they possessed by other means. Governments, for their own security, must promote these means which give them twelve times the power and means of wealth which they before possessed; and a defensive and protecting policy will guide them in not suffering the productive labor of twelve or thirty of their own people going to pay for the labor of one machine man.

The operation of this power of industry by machinery, is already producing prodigious effects. The manufacturer of cotton or silk in Hindostan, performs the whole labor exercised in producing their celebrated and exquisite webs, at a wages of

two to three rupees a month—the rupee is about fifty cents; so that the monthly average wages of the finest manufacturer of Asia, is one dollar fifty cents a month.

But extraordinary to relate, the British are competent to take a *curgo of cotton on board in India, transport it to Great Britain, manufacture and re-ship it for Bengal, and undersell the natives*, though their wages be no more than a dollar and a half a month. The facts are established by the report of the committee to which we have referred.

Legislature of Vermont.

Extracts from the speech of gov. Richard Skinner, delivered to the legislature of Vermont, at Montpelier, Oct. 12, 1821.

The unhappy effects of ignorance, and its attendants, superstition and immorality, which we daily witness in other nations, especially in their abortive attempts and impotent struggles against the relentless rule of those whose power is measured by the degrees of disparity between their attainment in knowledge and that of their subjects, occasions a frequent recurrence to the approved maxims of freemen—that a general diffusion of useful knowledge, and an improved state of science, afford the best security to civil and religious liberty. As guardians of the state, and of the interests of its citizens, it is our duty to adopt such measures as will most effectually secure to posterity the peculiar blessings of that free government which, by our ancestors, has been wisely established and faithfully transmitted to us. A diligent and persevering attention to the education of our children, is that without which we cannot expect the people will long retain a republican form of government. These remarks have not been elicited by any evidence of a want of regard to the subject, on the part of the general assembly, or from a belief that, in point of learning, the youth of this state are surpassed by any; but by the testimony of the council of censors, that the act of A. D 1810, for the support of schools, has not been duly executed, and that the interference of the legislature is required.

As the state possesses no public fund from which any portion of the current expenses of the government are delayed, or to which resort can be had in times of great pressure upon the pecuniary concerns of the people, and a direct appeal to them, in the form of a tax, is resorted to annually; the general assembly cannot too frequently be reminded of the necessity of a practical attention to economy in public expenditures.

At a period like the present, when the price of every commodity produced in the state, is depressed almost beyond example, it will afford me the highest satisfaction to aid in every measure calculated to advance the great interests of agriculture.

As remittances for foreign manufactured articles, cannot be made by us as heretofore, in the usual products of the state, the success of our manufactures is becoming an object of deep interest, not only to those who are more immediately concerned, by an investment of their property, but to the great body of the citizens. I am not insensible that the subject is one, over which the state legislatures have but little control; and that the proceedings of congress are necessarily embarrassed, by the great diversity of interest, in the different sections of this extensive country for which they are required to legislate. I am also aware,

that a difference of opinion exists, among those who are immediately engaged in the business of manufacturing, as to the propriety of any further interference on the part of government; and that at present, property applied to this object, probably produces an income beyond that of any other. If the citizens engaged in the business, already possess peculiar advantages, and any further encouragement afforded by the government, should operate exclusively to their advantage, the measure would be unjust; but if this encouragement should have the effect greatly to increase, not the profits, but the number of manufacturers and manufacturing establishments, and thereby produce a competition which does not now exist—to measurably change the course of agricultural pursuits, now so unprofitable, by inviting the growth of, and furnishing a home market for raw materials, and also a market for that surplus produce which has heretofore been exported,—and to secure among us a specie currency; there can be no doubt of its wisdom and justice.

It will be necessary that the act for dividing the state into districts, for electing representatives to congress, should be repealed or suspended, at the present session of the legislature; as the ratio of representation, under the late census, will probably be changed before the next session; and the number of representatives, to which we are entitled, may not be the same. It will also be necessary to provide for the second district, in which no election has been made. It may not be improper to observe, that the repealing of the statute of A. D. 1818 may perhaps operate as a revival of the former statute.

In obedience to the direction of the legislature at their last session, I appointed Horace Everett, esq. to revise the laws relating to the probate of wills, and settlement of testate and intestate estates, from whom I have recently received, and will forthwith transmit to you his report.

I have received from the states of Maryland and New Hampshire, certain resolutions, accompanied by the very able reports of committees of their respective legislatures, upon the subject of appropriating public lands, for the purposes of education: requesting the co-operation of the legislature, and which will be duly transmitted to you. Should the general assembly approve the principle, they will, it is believed, feel no delicacy in making the claim on behalf of the people of Vermont; for perhaps none in the United States, in proportion to their ability, contributed more to the acquisition of those rights, which were purchased by the toils, distresses, and sacrifices of the revolutionary war. Situated upon the frontier, they constituted a barrier between the enemy and the confederated states. Not having then been acknowledged as a member of the confederation, no part of the expense they incurred in the war, has been assumed by the general government; while they have participated in the burden of the funded debt.

The attention of the legislature of this state, as well as of the several states, has been requested by the general assembly of the state of Ohio, to the report of a committee, and certain resolutions of that general assembly, approved and adopted at their last session, upon a subject of vital importance to the interests and safety of the union; and which shall be seasonably laid before you. In complying with my duty, in making this communication, I forbear attempting an investigation of the subject, from a conviction that any views which

would be suggested, as the result of that examination, and consideration I have been enabled to bestow upon it, have already been fully anticipated by you; in as much as the public have long since had their minds directed thereto, and have been favored with the labored exposition of learned jurists, and able statesmen; and more especially, as the important question embraced, occupied the solicitous attention of this legislature, at their session in October, A. D. 1799; and upon which their opinion was unequivocally declared. Permit me then to recommend to your dispassionate consideration, the matters contained in the report and resolutions, and to express my belief, that, although Vermont would be the last to submit to an encroachment made by either branch of the general government, upon those rights and powers which are reserved to it, as a free state; and would be prompt in the exercise of all legal and constitutional means, to resist every aggression; and whatever may be the opinion, as to the correctness of the decision of the federal court, in the case referred to, yet that we shall not readily adopt the opinion, that the several states, which compose the union, sustain the character of independent sovereignties, in the sense that no power short of that which is physical, is supposed to exist, by which a constitutional question arising from an incongruity in the acts of the general and state governments, can be decided.

The late acquisition of a territory, designed by nature as a constituent part of the union, and over which the united demands of interest and security, require the jurisdiction of the government to extend; furnishes evidence of the wisdom, and inspires confidence in the uprightness of the administration. The favorable issue of this protracted negotiation with the Spanish government, has left the United States, in relation to all foreign powers, upon a footing, which promises permanent peace and friendly intercourse. While enjoying this propitious aspect from abroad, the mind that is duly impressed with a just sense of the value of our civil institutions, that has in any measure surveyed the wretched state of other nations, and is not ignorant of the causes that have dissolved republics, is naturally inclined to inquire, whether there are any grounds of anxiety at home; any recognition of doctrines subversive of the government—and, notwithstanding, some may imagine they can discover tokens of dissolution, in the manifestations of increasing jealousy, towards the authorities of the general government; it would be with extreme reluctance, that I could permit myself to believe, that the time had arrived, in which any considerable portion of the citizens, would forget the necessity of restraining unwarrantable suspicion, of smothering the first glimmering of the torch of discord, and the expression of extreme solicitude, for the preservation of a confederacy, which is our only guarantee against the degradation incident to despotism, and that which alone can secure us from becoming in the end, the subjects of foreign domination.

Legislature of Kentucky.

*Fellow-citizens of the senate,
and of the house of representatives:*

The period which has elapsed since the adjournment of the general assembly, has not been remarked by any rare occurrence, or afflictive calamity. Although some sections of the state, have suffered by an unusual visitation of disease, the

general good health of the community has been preserved. The products of agriculture are every where abundant. The operation of the laws has been without interruption, and the tranquility of society remains undisturbed.

It affords me sincere gratification, to communicate to you the pleasing intelligence, that the pecuniary embarrassments of the country have been extensively relieved during the present year, by the ordinary returns of commerce, and the increased currency, furnished by the establishment of the bank of the commonwealth. The wisdom of the policy which gave birth to that institution, has received the decided confirmation of a short experience; and the important benefits it has conferred on the distressed portion of our population, have strongly endeared it to the people. Its favors have been general—equal—and, for the most part, adequate to the pressure of the times.

But the establishment of such an institution was not a measure of policy only. It may be strictly maintained, that it was obtruded by necessity.

The unexampled growth of these states—the diffusion of their commerce—the extent and value of their acquisitions—and the increase of their power, during that eventful and protracted struggle, in which civilized Europe beheld her most renowned nations, contending with relentless ferocity for mutual demolition, imparted an accelerating impulse to their prosperity, and shed around them a splendor of fortune, unparalleled in the history of any former people. Successful industry laid the foundation of unlimited credit, and impatient cravings for excessive gain, precipitated the adventurous into discriminate speculation. The advantages of our situation triumphed over every obstacle.—The turmoils of ambition and the contest for dominion, which agitated and rent the kingdoms of the earth, profaned not this peaceful land. Our prosperity was nourished by the blood of christian-dom.

The pacification in Europe, and the war in America, dried up the sources of our commercial wealth, by lessening our exports and depressing their value. Hence the losses consequent on great and unexpected changes—the stagnation of trade—the scarcity of money—the accumulation of debt—and the substitution of paper, for a metallic medium.

At the termination of the late war, the precious metals had every where disappeared, and excessive issues of paper supplied there place in most of the states. Hence a corresponding rise in all the subjects of property. On the probable continuance of this state of things, contracts were made and debts created. But it was of short duration. The depreciated currency of the states was regarded as an evil of dangerous tendency—and the more so, as it was one which the states could not speedily eradicate. A national bank, with a capital sufficient to furnish a national currency, was proposed and adopted, as a prompt and efficient remedy. Has it answered the proposed end? Does it afford a circulating medium for the union? Whilst it crushes beneath its ponderous weight, every feeble corporation, and displaces the notes of the specie paying banks within the sphere of its operations, are its notes any where to be found except in the great emporiums of trade, or in discharging the silent and impoverishing operations of exchange?

Our country does not produce the precious metals; and a variety of causes, some of which are highly favorable to the freedom and happiness of mankind, have latterly diminished their annual

production. They can be obtained only in the exchanges of commerce with foreign nations—and these exchanges must be conformable to various regulations, beyond our control. To rely therefore, exclusively, for a circulating medium, on supplies, the acquisition of which we cannot regulate, is hazardous in the extreme. Accordingly we perceive the difficulty, at this very moment of obtaining an adequate supply of specie for the uses of the banks; and the necessity of those that continue to pay cash, to diminish the amount of their notes in circulation, by heavy and continued calls on their debtors.

The notes of the bank of the United States, have ceased to circulate in Kentucky. The specie, in the hands of individuals, is sufficient to pay the interest on her entire debt. The state bank, to preserve her existence, has been compelled to close her vaults. How are the debts of the country to be paid? In specie? We have seen that it is impracticable. In the national currency? If generality of supply and diffusiveness of circulation, are implied by the term, it may be answered, that no such currency exists. But may we not profit by the indulgence of time—and repair the wastes of extravagance by a prudent economy? If that measure be neither just nor reciprocal, which debars me from coercing the payment of my debt, and requires me to look forward to a distant remuneration of an augmented demand; it is a truth equally emphatic, that no measure can bring with it relief, which adds to the evil complained of and doubles the number who are to bear it. In situations highly commercial, the growth of luxury may have kept pace with the increase of wealth. But extravagance is not the vice of our country. Our people, collectively, are free from the reproach. Their misfortunes have originated from external causes, and that legislative requisition, by whose authority they should be called on to pay debts without money—to make bricks without straw, would be a solemn mockery—a cruel insult. May we not hope that our condition will gradually improve? Assuredly it must. The precious metals will flow back into the country, with the resuscitation of commerce, notwithstanding the discouraging causes which of late have steadily operated to retard their increase, and even to diminish their amount. The exuberance of their resources, and the fidelity and fortitude of the people, will in the end deliver them. But it cannot be the policy of a wise and humane government, to become an accessory in the depression of its citizens, by contributing to a violent destruction of credit, and a general change of property. It is the duty of every government to supply a sound and sufficient circulating medium; and to prevent, as far as practicable, the evils of a fluctuating currency, by means of which, the relative value of commodities is deranged, and the security of contracts impaired. No man ought to be compelled to pay more, or permitted to pay less, than he contracted to pay. Specie itself is not of invariable value; although it is indubitably the best standard of value. It is not essentially valuable, but the representative of value; and bank notes, are merely its representatives. In reference to this common standard, value is the price which the products of labor bear to money. But this price is varied by the plenty or scarcity of money—or its representative, bank notes, as effectually as by the plenty or scarcity of the subjects of primary necessity, and the fluctuations consequent on an increase or diminution of the circulating medium of a country, will produce a change in the relative

value of such medium, in the inverse ratio of such diminution or increase. Hence the injustice of either subjecting the creditor to receive payment of a debt, contracted on the corresponding relations of a metallic and limited medium, in an enlarged and depreciated paper currency—or exacting from the debtor a discharge of his obligation, contracted on the relative value of the latter, in the enhanced medium of the former. In seasons of general depreciation or extreme pressure, thus to coerce a literal obedience to contracts, against the principles of equity, and the true intent of the undertaking, can neither amend the morals of individuals, nor strengthen the faith of nations. We should equally depreciate that profligate legislation, which wars against the rights of accumulating industry, and that rigorous sternness, which regards an unfortunate debtor as a victim due to legal vengeance. Mankind are peculiarly sensitive in relation to their monied concerns. There is a fatal tendency in the progress of society to depress the poor, and substitute wealth for merit. Pecuniary calamities only, are punished as criminal. In an age of refinement, and in nations highly civilized, we witness the persons of individuals, who are equal members of the social compact and the common property of their country, delivered over to the vilest passions of the worst men. And even in our own code we are startled by the monstrous anomaly, of the imposition of severer restrictions on personal liberty, in actions for the recovery of money than in prosecutions for felonies—it is a truth of eternal obligation, that every government should shield its citizens from the consequences of its own errors.

The congress of the United States, in the recent measures adopted for the relief of the purchasers of public lands, acted on the assumption that the great and unforeseen diminution of the available currency of the union, and the consequent inability of purchasers to meet their engagements with the government, without enormous losses, or irreparable ruin, gave them a valid claim on her clemency and indulgence.

Epochs of severe pecuniary distress, will sometimes occur in all countries. Such an one at this moment exists—and is effects are commensurate with the commercial world. In such a crisis is it for legislative assemblies to witness in silence the general wreck of private independence, and public prosperity, and supinely await the slow growth and dubious result of a new order of things; or avert the impending evils, by appropriate and decisive remedies? Of these the most obvious and salutary would seem to be an increase of the circulating medium. Such was the suffering condition of Kentucky, and such the remedy which has been devised.

The legislature was presented with the alternatives of a suspension of the collection of debts, or an option to the creditor to receive present payment in bank notes—The latter, I think, was properly chosen. A paper system, as a measure of relief, became inevitable, and the only question left for discussion involved the character of the corporation to be employed as an agent.

The experience of our common country by no means strengthens our confidence in the stability and safety of monied corporations, in the controul of which, the integrity of their directors is left at the mercy of their avarice. In the present crisis, a specie paying bank cannot be profitable to the holders of its stock. If its issues be increased, its vaults must be shut up. If it fail to redeem its

notes its credit will sink. Thus to continue its profits, it must violate its faith—a paper currency cannot be sustained, by the irresponsible agency of private corporations. It is only by the interposition of the ample resources and unquestioned faith of the state, that we can expect efficacy from such a system. All attempts to supereede the use of the precious metals, by the substitution of paper assurances, as a permanent and fixed medium of exchange, are as idle as they must be found to be impracticable. But to withhold from the solemn and binding pledges of an entire community, rich in resources, and stained by no single act of dishonor, that willing credence which is yielded to each and every of its individual members, is irrational in the extreme. Why shall not states, as well as individuals, anticipate their resources? To the Bank of the Commonwealth it cannot with fairness be objected, that the foundations of its credit are insufficient—Passing over the existing surplus of the revenue, which must be annually largely augmented, and the amount of stock at present owned in the bank of Kentucky, which exceeds half a million, it may be safely calculated, that the lands south and west of the Tennessee river, are, in their present unimproved state, equal in value to the whole amount of capital of the new bank. If these lands be judiciously disposed of, one moiety a few years hence, will be rendered equal to the present value of the whole by the adjacent improvements of the sections first sold—It is evident then, that the means provided for the redemption of her paper are abundant. The government of the institution is confided to the representatives of the people. Its fate is in their own hands. Its credit may fluctuate, but it never can fail while they remain honest.

The continuance of such an institution, is the surest measure of relief. It has proved itself of easy and convenient application, by the simplicity of its operations, and the equality of its distributive character. The legislature I trust, will be too strongly convinced of its utility, to endanger its accruing benefits, by the complexity of other and less salutary regulations; and will scrupulously abstain from any increase of its capital, or the passage of any other measure, which, by causing the notes in circulation to exceed the demands of business and the imperative wants of the community, or by weakening the confidence of the people in the solvency of the bank, may precipitate the destruction of the whole system, as a relief measure, by so far depreciating the paper as to stop its circulation. The credit of the paper must be sustained. A prompt and faithful application of the means provided by your predecessors, to the purposes for which they were designed; and a denial of immediate execution, in all cases where a willingness to receive notes of the existing banks shall not be indicated, are the measures recommended to inspire confidence and obviate distress.

It is however, to be remembered, that there are many individuals, whose condition cannot be improved by state legislation. They must look for deliverance, from the justice and liberality of the general government.

Whether the Bank of the Commonwealth in its subsequent operations, shall be found to realise the hope of its friends, or be destined to become the instrument of severer reverses, it is undeniable, that it has saved a considerable portion of the debt-or population of the community from poverty and ruin, and largely augmented the revenues of the state. The public funds are ample and increasing. A capital, sufficient to lay the foundation of valua-

ble and lasting improvements, remains in your treasury inactive and unappropriated. Surely it cannot be the true policy of any government to become a boarder; much less of a government like ours which derives its support from the confidence and love of its citizens—and least of all, under circumstances which harass them by the pressure of peculiar and irritating wants. If the people be needy, the public wealth should be usefully disseminated. If the profits and employments of foreign commerce can no longer be obtained, the necessity is increased for encouraging domestic industry and facilitating the means of internal intercourse. If provisions be cheap and labor low, no time can be so judiciously selected, for the construction of costly and durable public works. But if it be an undertaking worthy the enlightened consideration of the legislator to diversify and adorn the face of his country; if to multiply the conveniences and give perpetuity to the improvements of its roads, and its rivers, its edifices and its fields, be justly regarded as direct and powerful means of advancing human happiness, and confirming national glory—how momentous are the duties—how animating the motives, which terminate in the successful establishment of the great and diffusive interests of education.

On this subject I feel so deep a solicitude, that nothing but a firm conviction of the existence of corresponding sentiments, and dispositions on the part of the members of the general assembly, could induce me to forego a recapitulation and enforcement of some of the most obvious inducements to renewed efforts, which have heretofore been presented by my predecessors in office. The commonwealth of Kentucky has made many and liberal endowments, to her seminaries of learning. But these praiseworthy acts of munificence, have been generally rendered inefficacious by negligence or indiscretion on the part of those to whose care the donations have been confided; and if subsequent legislatures have not opened fresh sources of supply, it may in some measure be attributed to a deficiency of means. That deficiency no longer exists. To our existing resources, so flourishing and abundant, we may confidently expect a vast acquisition from an impartial distribution of that part of the national domains, already appropriated to a considerable extent, for the promotion of learning in the several states. In this state the public mind has recently been awakened to its importance, and successful attempts have been made to emulate the usefulness of the most ancient and matured establishments in other countries. In republican governments especially, the right education of youth is a matter of vital concern. The institution of learning should be sustained by legislative patronage, and be subject to legislative inspection and control. Such appear to have been the sentiments entertained by the legislatures a few years ago, when the Transylvania University was re-organized—adopted as a state institution—and temporarily endowed. The aid then afforded, has been withdrawn, by repealing the charter of the Farmers' and Mechanics' bank of Lexington; and the university in its enlarged form, and more expensive organization, is left to sustain itself by a precarious and slender reliance on tuition fees alone.

Thus situated it will soon cease to flourish—perhaps, to exist as a place of general instruction. I must therefore, with an earnest importunity, suited to the wants of an institution so important in its influence on the best interest of our country, and

deriving from your adoption a legitimate claim to your protection, urge the propriety of a permanent annual appropriation, sufficient to supply the deficiency of its actual receipts to meet its ordinary expenditures. At the same time, it is earnestly recommended, to mature and adopt a system of general and cheap instruction, which in its details, shall pervade every part of the community, and bring home the blessings of a substantial and business education to the door of every family. The accomplishment of such an undertaking, perplexing as may be its arrangements, and expensive as must be its continued support, is not beyond the jealous and persevering application of our means. It is due to the present age and to posterity that the attempt should be made. It is necessary to the purity and permanency of our civil and political institutions, and to our relative dignity and influence in the councils of the nation, that it should succeed.

I must again invite the attention of the legislature to a consideration of the condition of the state penitentiary. If it be true that political institutions had their origin in the wants and fears of individuals, and were designed for the security of all the members of civil society—it is as great a perversion of the just ends of government, to extend the punishment of offenders beyond the measure required by the safety of the unoffending, as it would be to refuse redress to the injured, or protection to the weak. Punishments are inflicted for example and amendment. The former are public and intended to deter. The latter ought to be secret, and fitted to reform. To multiply capital offences, beyond the number of those, which have for their object the destruction of human or national existence, bespeaks a pusillanimous and vindictive spirit of despotism. By a public and prolonged exhibition of ignominious punishment, calculated to humble and debase a being, whose want of self-respect has betrayed him to the commission of meanness or of crime, by consigning to one common mansion of guilt, all convicts of whatsoever grade, and compelling the high-minded, the enlightened, the unfortunate victim of a venial error, to consort with the atrocious murderer or ignoble thief; and from the influence of such a system, and the contagion of such associations to hope for final reformation, bespeaks a lamentable ignorance of human character. The pride of our legislation has never stooped to the ball and chain—it is humanity admits, but on awful exigences, the horrors of the gallows. To the honor of Kentucky it will hereafter be recorded among the acts on which posterity will love to dwell, that in the very infancy of her government, she was among the first to assert the permanent triumph of civilization over the barbarous inflictions of sanguinary punishments. But whatever tends to change the established condition of mankind, or even to mitigate their sufferings, must be of slow progress; and whatever may have been the success of the penitentiary system elsewhere, it is a cause of regret, that here it has failed to realize the expectations of its philanthropic founders. This disappointment, however, should be the less discouraging, from the consideration that our failure has been the result rather of a neglect or misapplication of means, than of any radical defect in the system itself.

Whether society can rightfully exact as the forfeit of any acts the life of its members, is a question which has been too long confined to the schools. May we not indulge the fond hope, that it has been

reserved for the auspicious age in which we live, to give birth to a new era in the history of criminal jurisprudence, and for the legislators of the new world, by the abolition of capital punishments, to add another trophy to the victories of enlightened freedom? But, whatever may be the period from which we are to date the consummation of our hopes, we have every motive to present exertion that can originate from the disappointment of well founded expectations.

It is the peculiar excellence of the penitentiary system that it blends the ends of public example and personal reformation. Its characteristic defect is a tendency to corrupt the heart, by vicious association, and a hardened disregard of public opinion.

The following present themselves as the prominent defects in our system:—

- The omission of solitary confinement;
- The want of general instruction;
- The absence of all distinctions of merit;
- The infliction of corporal punishment;—and
- The neglect to furnish a suitable provision for the prisoner after his liberation.

Man is a social being—the intercourse of his fellow man is essential to his happiness, and necessary for the expansion of those noble faculties which distinguish him above all other animals. Unbroken solitude is the grave of his genius and his joys. Virtue herself wanders with melancholy aspect in the regions of exile—and sinks with despairing anguish amid the gloom of that dungeon, from which she is never to emerge. But absolute and compulsory solitude, when adopted as a punishment and inflicted for a season only, has been found productive of the most beneficial results. It is the inquisitor of the soul, and the tyrant of every vice.

It may be regarded as scarcely possible, that the guilty prisoner can long inhabit a cell, where darkness and silence reign undisturbed arbiters of his doom, without some relenting of purpose—some real penitence of heart. The moral faculty regains its lost dominion in his breast, and its solemn responses are regarded as oracular. He acquiesces with abated resentment, in the justice of the sentence by which he suffers. That audacious spirit of resistance to the established order of society, which drove him to the commission of every outrage, gives place to the mortifying sense of his weakness and dependence; and he ardently desires as the first of blessings, a return to that very society from which his crimes have banished him. Hence originates a disposition fitted for the reception of moral and religious instruction—a conformity to the requisitions of his present condition—a spirit of active industry, emulation, and amendment, as the means of present favor, and future restoration; and all the benefits which are consequent on regular habits, and amended morals. If the prisoner be wholly uneducated, he ought to be instructed in the elements of reading, writing and common arithmetic. If he be destitute of the knowledge of some useful and creditable trade or occupation, he should be taught how to obtain a subsistence, by his skill and labor. Rewards should be offered, which would have for their end present exemptions and distinctions, and the shortening the time of confinement and service—and even in this abode of punishment, penalties should be inflicted, to deter from insolence, from negligence, and from petty vices. But corporal punishments, and every mark of ignominy, should be carefully avoided, as tending to debase and render desperate,

those we would amend. In the place of all other modes of punishment, solitary confinement is recommended as an invincible champion in the school of correction.

After the expiration of his time of service, the subject of partial reformation, or more confirmed vices, is turned loose on the community, in the midst of strangers, without a shilling in his pocket, and with the badges of his recent disgrace, attracting derision and reproach wherever he goes. Is this an ignominy to which his country should consign the wretch who has drank to the dregs the cup of humiliation? Is this a trial, to which even and offended country should betray him? No. Let the industrious convict be allowed a moderate portion of his earnings, to bear him to his distant home—perhaps to his beggared family. I would save even the slothful and improvident from this last scene of human degradation—permitting those who could not be restored to the confidence of their fellow citizens, to hide their unobtrusive faults, by gently sinking into their native obscurity.

It will however, be found utterly impracticable, in the present situation of the institution, to carry into effect the whole, or any material part of the plan above suggested. The buildings are wholly inadequate to the purposes for which they were designed, and are in a state of rapid decay.

Our population has out-grown our early establishments; while the corresponding ratio of crimes has diminished, the number of criminals has greatly increased. There is not sufficient space within the walls for the convicts to carry on their respective occupations—far less, for exercise and recreation. Half a dozen are crowded into one apartment, constructed for the accommodation of a single person. Frequent and severe disease is the consequence; and sometimes, it is to be feared, premature death. By keeping all the convicts together during the day, and many during the night, those pernicious associations are formed, and the continued effects of which are so much to be deprecated; and that continued, or occasional solitary confinement, particularly in the early period of their term, the fruits of which are considered so salutary, rendered impracticable. The unrestrained communication which necessarily exists, affords daily opportunities for the consummation of desperate plots—while the dilapidated state of the building invites them to escape. It is cruel thus to tempt beings, in whom the love of liberty is the ruling passion, to fly from imprisonment; when the very attempt, so natural, so irresistible—imposes new shackles, and prolongs their bondage. In such a confined, insecure, and confused condition, little is to be hoped for or accomplished, in moral improvement, intellectual instruction, the formation of better habits, or the efficacy of example. Few are amended, and none reformed.—Unless, then, the legislature shall be prepared to abandon the mild system of corrective punishment, under the influence of which, the safety and morals of the community, have heretofore been so happily guarded and improved; the time has arrived, when it becomes indispensable to re-organize and enlarge the state penitentiary.

But if the sympathies of the wise and good are so deeply enlisted in mitigation of sufferings that the felon justly endures—what shall be the measure of that generous pity, which is excited by the sad spectacle of maniac bereavement. It is not among the fragments of mouldering columns, scattered over the sands of the desert; it is not beneath a solitary arch of some decayed citadel of subvert-

ed empire, that, in the retrospect of the instability of human affairs, we learn the most instructive lesson of the vanity of human hopes. It is when we pause amid the ruins of the human mind; when we contemplate the destruction of those intellectual powers, which rendered their possessor lord of creation; and behold the imbruted madman, roving with dark and savage purpose through an affrighted land, which his philosophy had enlightened, his eloquence enraptured, his valor emancipated, and his benevolence blessed, that we impressively feel the worthlessness of every attainment that does not dignify our motives, enoble our pursuits, benefit our kind, and merit an everlasting reward. As the possession of reason is the glory and distinction of our nature, so its deprivation may be regarded as its heaviest calamity. The duties which we owe to the objects of such deprivation, are of most sacred obligation. Much may be done for their comfort—for their recovery; and we are responsible for all the good we might, but will not do. Nay, the pride of superiority, and the selfishness of interest, should conspire to impel us to acts of genuine mercy—who can say that, in the mutability of his fortune, the light of his understanding shall continue to illumine the darkness of his path? Who will not rejoice in the perfection of an art, that can break the fantastic fetters of the brain, and set free the imprisoned mind?

The provision afforded by law, for persons of unsound mind, is liberal but ineffectual. The subjects are unavoidably so situated, as, in a great degree, to be destitute of proper discipline and regular medical attendance: they are frequently surrounded by the scenes and objects which produced their disorder; and which, of all others, are worst adapted to “minister to a mind diseased”—exposed to the obtrusive observation of strangers—and sometimes subjected to the ill judged severity of those who may have been induced to take charge of them from motives of avarice. Under such circumstances, cases of partial derangement frequently become incurable, and the wretched victim is rendered a terror to whole neighborhoods. Thus it is, that the bounty of the state is squandered and the miseries of its subjects aggravated. By converting the hospital, already erected at Lexington, and at present unappropriated for want of funds, into a state institution, when all the unsound of mind could be collected under one roof, and receive, gratuitously, daily visits from physicians of skill and experience; and where the patients would be constantly attended by careful nurses, it is confidently believed, that numbers, who must otherwise be lost to their country, their families, and the enjoyment of heaven's richest gift, might be restored to the high and active duties of life, and the uninterrupted enjoyment of a blessing, above all price. The vicinity of the institution would prove highly beneficial to the medical school; which would in time repay the obligation, by useful discoveries in the treatment of mental maladies. And if I could believe that, in the consideration of a subject, halloed by the best feelings of the human heart, calculations of mere profit and loss could be admitted to influence the pure judgment of benevolence, I would demonstrate the cheapness of the proposed measure, as a conclusive argument for its adoption, in the stead of the present wasteful annually increasing expenditure.

I cannot close this communication, without calling the attention of the legislature to the important subject of a revision of our statute laws.

It is recorded of one of the most odious tyrants

of antiquity, that he caused his laws to be written in diminutive letters, and elevated on pillars so high as to be illegible to his subjects. Similar effects are sometimes produced by the most opposite causes: an extreme solicitude to regulate and adjust all the concerns of society, by the mere force of legislation, will leave the unlearned and incurious as ignorant of those regulations, to which they are required to conform their acts, and by which their rights are decided, as the unhappy victims of the imperial monster. The only legitimate object of legislation, is the happiness of mankind; and all laws designed for their good, should be rendered accessible to their knowledge. Whatever may be the infirmities of our nature, in every country, the great mass of the inhabitants mean well. To just laws, impartially administered, they yield a voluntary obedience; the only submission that does not degrade. In free states where the people either make the laws, or choose those who do, the principle of the government is corrupted whenever the people cease to understand those laws. Hence the necessity in such governments, of a frequent recurrence to first principles—a clear and well defined exposition of rights and privileges—a fearless amputation of cumbrous and abrogated appendages, which enfeeble the body they deform—and a rigorous exclusion of those artificial modes and useless forms, in the conduct of public affairs, under which the image of justice is hid, and which serve when liberty expires, to exhibit an appearance of life, after the extinction of every principle of vitality.

It necessarily resulted from the origin and growth of the American commonwealths, that their legislation should be profuse and their codes multiform. At the period of the revolution, when the political relations which had subsisted between the British empire and her colonies were dissolved, the latter still retained, as independent states, the old system of English common law and statutory jurisprudence. On this broad and deep foundation, composed of materials so much compounded, have been erected various structures strongly resembling each other, and all essentially varying from the Gothic model. The love of liberty, indigenous in the hearts of our people, has incessantly impelled them to fortify their rights by precautionary enactments, while their enterprising and commercial spirit, cherished by free and liberal institutions, has perpetually furnished new subjects for legislation, and multiplied municipal regulations. The two-fold character which we sustain, as separate members of a sovereign and independent community, and citizens of one common, vast, national confederacy, by rendering our relations more complex, accumulates the obligations which bind us to each other. And it is not to be forgotten, that, when the government of Kentucky was established, the young state received as an ample portion of her patrimony, whatever was applicable to her wants, or conducive to her accommodation, from the legal archives of her venerable parent: to these resources, so various and so rich, successive legislatures have continued to add with persevering industry, and undiminished bounty. I am apt, however, to believe, that, in the zealous exercise of this favorite spirit of legislation, laws have been hurtfully enacted, on many subjects. Among the numerous evils attendant on excessive legislation, may be reckoned the danger of all legislation, by reason of the uncertainty of the existing law. To legislate with wisdom, or even with safety, we must fully understand the system in relation to which we legislate, and before the legislator shall venture to expunge an old, or

insert a new statute, it behoves him to estimate the practical results, in relation to the residue of his code. In rudely demolishing the appendant scaffolding, we may shake the pillars which support the temple.

When laws have become so voluminous that none but men of leisure can read them—when they have been rendered by repeated amendments, repeals, and re-enactments, so intricate that they are difficult to be understood, except by men whose profession is to study and illustrate them—and when, by these frequent changes, they have been rendered so uncertain, that the people are afraid to contract on the faith of them, lest they may have been repealed before the period of their general dissemination, it may, with justice be pronounced, that the protection of the citizen has measurably ceased to be secured by such laws. It is to be feared that many of the primary magistrates of such a country—a most important body of officers, the exercise of whose powers in the diffusive concerns of life, daily comes home to the business and bosoms of men—will often be deterred from prosecuting their unsatisfactory researches into the chaos of the laws; while others will be induced to resign stations, so perplexing and responsible. A fluctuating, or undefined condition of the laws, begets discontent among all reflecting and moral men, and affords abundant opportunity and temptation for the indolent and vicious to perpetrate their crimes with destructive impunity. By the useless multiplication of statutory regulations on the same subjects—by frequent and rapid changes, and a long neglect of the proper means to methodize and reduce to a simple form and convenient bulk, the laws in operation and scattered through numerous volumes, the great body of the citizens of a representative republic may, in time, become ignorant of these very laws which they mediate enact. To arrest, at the threshold, the deleterious operation of causes like them, distinctly to present to the members of the general assembly the statute laws of the commonwealth, actually in force, in one continuous and condensed view; enabling them to trace, as on a faithful chart, the exact lineaments of our legislation; to detect omissions—to remedy defects, and impart to the whole a unity of design, and harmony of expression; and to place within the reach of every public officer and private citizen, in a cheap and intelligible form, those rules which prescribe his most solemn duties and define his most sacred rights, the proposed revision is respectfully and earnestly recommended.

Since the last session of the legislature, a question has been agitated before the supreme court of the United States, on a subject deeply interesting to the people of this state. Owing to the unfortunate uncertainty in our land titles, it was seen at an early period of the independence of this commonwealth, by its legislature, that, without an adequate provision to indemnify the *bona fide* occupant of land, for the lasting and valuable improvements which he should make upon it, in the event that his own title, believed by himself to be good, should prove defective, the progress of settlement and improvement would, if not prevented, be greatly retarded. To secure that indemnity, the legislature, accordingly, as far back as 1797, passed an act and at subsequent periods passed other acts on the same subject. Whatever diversity of opinion may have existed, as to the expediency of some of the provisions in the latter acts, the legislature never doubted its authority to pass all of them; and this authority has been affirmed to exist by our highest

judicial tribunal in every instance where the question has been made. To estimate the great benefits flowing from the security and confidence inspired by this system, we have only to imagine what appearance, without it, the face of the country would now exhibit, and compare it with the state of improvement actually existing. The validity of some of those acts has been called in question before the supreme court, upon the ground of their imputed repugnancy to the compact between Kentucky and Virginia. It is remarkable, if the repugnancy really exists, that Virginia herself has never complained of it; and that she has never asked for the constitution of that tribunal which the compact itself, contemplating possible infractions of its stipulations, provides for; but that, on the contrary, she has, for such a length of time, acquiesced in that course of legislation which the policy of this state imperiously demanded, and which has so essentially promoted its prosperity. That the state of Kentucky has intended strictly to observe the compact, cannot be doubted; for, besides the good faith which has ever characterized it, the compact has been incorporated in both our constitutions—one of which was adopted subsequently to the act of 1797; and thus has given to it the most solemn and fundamental obligation. The character of the state, and the public interest, would alike seem to require that no measure should be omitted which may tend to vindicate both. I submit, therefore, to your consideration, the propriety of retaining counsel to support, in behalf of this state, the validity of its laws; and also the expediency of opening a communication with Virginia, for the purpose of those mutual amicable explanations which may be called for by the occasion.

In obedience to a resolution passed during the last session of the general assembly, requesting me, as soon as practicable, to cause to be run and marked, that part of the boundary line between this state and the state of Tennessee, which lies between the south eastern corner of this state, and Walker's line, as marked on Cumberland river, near the mouth of Obie's river, agreeably to the ratification of the boundary line, as lately established between this state and the state of Tennessee; colonel William Steele, of Woodford county, was appointed surveyor on the part of this state, and in conjunction with the surveyor appointed by the governor of the state of Tennessee, has performed the duty contemplated by that resolution. An authentic copy of their joint report, accompanies this communication. I have no doubt of its entire accuracy. It only remains for you to approve the work, and fix the compensation of the agents employed on the part of this government.

I beg you to accept my best wishes for a happy termination of your deliberations—and my assurances of a cordial co-operation in all measures calculated to promote the public good.

JOHN ADAIR.

Frankfort, Oct. 16, 1821.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The London Courier, of the 18th Sept. says that wheat fell ten shillings per quarter on the preceding day, in consequence of a favorable change of the weather. It was also reported that more than 20,000 quarters were prepared for shipping from the northern ports of Europe, in anticipation of a scarcity in England.

The king was about to start on a tour to the continent, where he intended to travel under the title of *earl of Dublin*. The duke of York, archbishop of Canterbury and the cabinet ministers, are appointed "lords justices for the administration of the government in his absence."

The Neapolitan general Pepe, now in London, has announced in the papers of that city, that he declined to receive the generous offers of pensions made to him by the Spanish and Portuguese governments, as inconsistent with his independent principles. He has also indignantly denied the report that, in his flight, he carried off the money belonging to the military chest.

Sir Robert Wilson has been dismissed from the British military service—probably on account of his political sentiments.

The wife and daughters of the late king Henry of Hayti, have arrived in England, from Port au Prince, and are said to be possessed of great wealth.

At a meeting of the proprietors of the bank of England, a question was asked respecting the new bank notes, when the chairman answered that the result was an entire failure.

FRANCE.

A document, exhibiting the present state of the French finance, of great interest and importance, is given in the London Courier. It proves, that the sum total of the interest of the French debt, on the 1st Sept. was only 263,900,284 francs, which was composed of pensions and life annuities, untransferable consols, and transferable stock, of which upwards of one third is locked up. What a prosperous statement this is: with a powerful sinking fund, and in a country full of resources, improving every hour, should all remain quiet, the debt is expected to be extinguished in the course of 8 or 10 years.—*N. Y. Eve. Post.*

SPAIN.

We have a great variety of rumors and reports about the unsettled state of things in Spain—from the whole of which, if true, that country was on the eve of another revolution, to be effected by those advocating a greater degree of liberty. The king appears to be totally incompetent to manage such a state of things, and his ministers seem unable to resist the force of the populace. But we know not how much of these reports should be credited.

The London Courier calls the Spaniards many hard names, and ridicules their efforts to prevent a restoration of the ancient despotism—from which we are disposed to believe that the people of that country have reason to be jealous of their rulers. The famous Riego seems to be at the head of the discontented party, and has been dismissed from his military employments, which he much complains of in a proclamation addressed to the army.

TURKEY.

We have very little additional news relating to Turkey. Alexander is said to have departed for the southern provinces of his empire, and it was supposed that the question of war or peace would soon be settled. The armies which he has on the Turkish frontier causes a powerful diversion in favor of the Greeks—who are reported to be doing well in the Peloponnesus, and in the islands. Since the departure of the Russian ambassador from Constantinople, the Austrian envoy has become displeasing to the Turks. There is no doubt that the two acted in concert.

Ypsilanti has been struck out of the Russian army. We do not see any other mention made of him.

Two Turkish frigates, captured by the Greeks, have arrived at *Hydra*.

The government of the *Peloponesus* is organized, also that of *Lavidia*. The two provisional governments of *Athens* and the *Morea* have appointed deputies to go to *St. Petersburg* to implore the protection of the emperor of *Russia*.

Greek proclamation.

Macedonians! Greeks!—The standard of liberty waves over the summit of Olympus, over the summit of Pindus, glorious monuments, the monumental columns, the tombs of our heroes, have passed away; but our native mountains, these eternal trophies of our glory, shall bid defiance to time.—*Macedonians!* children of Alexander, around these trophies we will assemble: beside them we will conquer or die: and those who fall in the glorious contest will add new lustre to the deeds of their ancestors; and that lustre will strike terror into the hearts of the barbarian!—*Macedonians*, children of Alexander, sons of the conquerors of the world, grasp your swords! Shame on those who will longer submit to be governed by a wretched horde of barbarians. Your mountains, and your valleys are free, and the ensigns of tyranny only still wave on the fortresses. But in vain do the barbarians hide themselves behind the walls of Solonichi, of Jennizzar, of Cavalla, and call them as heretofore their bulwarks: but these walls will fall before the swords of *Macedonians*, and we will avenge the sufferings of our fathers, our wives and daughters, in the blood of the barbarians. Thrice have we already conquered! *Philippopoli* is in our possession. Our heroes in a few days conquered that city. *Stagira* is no more; the Greeks have destroyed the town of the philosophers. Why should it be again an asylum for the barbarians! Many have fallen, more yet will fall. But our ranks increase daily, and will still further increase. To those who have sacrificed themselves on the altar of freedom, the favor of Heaven will be extended, and their brothers will avenge their deaths. To arms! to freedom, *Macedonians!* Greeks of every country, the eyes of the world are turned upon you.

ODYSSEUS,

Commander of the *Macedonians*.

From the camp of Mount Olympus, July 20.

PERU.

We have an official account of the proceedings in Peru. *Laserna* agreed to the propositions of *San Martin* on the 11th of June, and on the 12th gave up *Callao* as a security—and the *Chilian* squadron with 2,000 men, entered that port immediately; but it does not appear that any of the said troops had then entered *Lima*—negotiations, however, were going on, and there can hardly be a doubt that they have terminated in the independence of Peru, as before reported.

CHILOE.

From the Aurora. The advices from Lima, announce that the people of the archipelago of *Chiloe* have thrown off the yoke of Spain. This country is to the south of *Chili*, and forms one of the thirty-eight provinces into which *Chili* was distributed under Spanish authority. It consists of one large island which gives the denomination to the whole of a numerous groupe, stretching along the coast between 41° 20', and 45° S. lat. and 73° to 78° W. long. this cluster of islands seems to have been formed by some great convulsion of nature which wrenched from the continent a vast body of the

main land of two degrees, and formed a spacious bay in the space from which the vast fragment was rent. The debris of this rent appears to have formed the group of islands to the number of eighty six, large and small. The largest island, by the natives called *Ancud*, and is about two hundred miles in length, by fifty broad, and in its length is washed on the west side by the Pacific. The entrance to the inner waters of the archipelago is only by two channels.—The climate is most like that of Ireland, and equally celebrated for its salubrity and temperature. The chief place is the city of *Castro*. The people are expert seamen. The islands produce the finest spars for masts any where to be found. The population of civilized persons is about 30,000 souls.

The British cabinet had this archipelago in its vast scheme of aggrandizement, when it was contemplated to seize on the insular positions of every sea; *Chiloe* was to be one of the naval keys of the Pacific, and to command *Chili*: as *Trinidad* was to command the *Orinoco* and *Venezuela*.

MEXICO.

It appears pretty certain, by accounts from *Vera Cruz*, that an armistice had been agreed upon between the contending parties, with the view to an adjustment of the affairs and government of *Mexico*—but the armistice is reported to have been broken, and a decisive battle was expected to take place near the capital on about the 28th of Sept.

CHRONICLE.

Com. Bainbridge has been appointed to the *Philadelphia* station, in the place of the late commodore *Murray*.

Roger Sherman, one of the signers of the declaration of independence, is said to have been a shoemaker. It is added that he could speak from 10 to 20 minutes, and, in that space of time, put to silence some of the first orators of congress. We wish that there was a dozen *Roger Shermans* in congress, in these our days! There would then be more of speaking to the house, than of speaking for the newspapers.

The steam-boat *Walk-in-the-water*, was wrecked on the morning of the 1st inst. near *Buffalo*—passengers and crew and most of the cargo saved; her engine, &c. was not much injured. The loss of this boat will be severely felt, on account of the great facility which she afforded to travellers and for the transport of goods.

The army. A number of gentlemen, chiefly emigrants from Great Britain and Ireland, venerating the right of trial by jury, recently met at *Philadelphia* to celebrate the result of certain state trials had in England, in 1794, and, among others, drank the following toast—

“The army which never pulled a trigger or pushed a bayonet against the rights of man—the army of the United States.”

Wonderful escape. The ship *Sea Fox* was lately upset off *New-York*—she had many passengers on board, some of whom escaped in the boat. Four days afterwards a ship happened to fall in with the wreck. On approaching it with a boat, it was thought that human voices were heard—a hole was cut and four men, who happened to be in her hold at the time when she upset, were rescued from a terrible death.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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The new constitution proposed for *New-York*, being inserted chiefly for reference, is divided with less hesitation, (not, however, to be separated when the volume is bound up), because most of those immediately interested in it must have been already furnished with a copy through their own local papers.

The article headed "Desultory Remarks," has extended to a length much beyond that which was anticipated when we commenced writing them; but it seemed as if we could not make them much shorter in conformity with what it appeared we were called upon to say. Congress will soon meet, and those who prefer documents and facts to speculations and opinions, will be freely indulged.—Among the important papers that may soon be expected, is the return of the late census, which we shall insert in one body of matter, with comparative statements and explanatory remarks: so also we shall manage the returns as to manufactures, when received.

Mr. B. IRVINE, who has retired from the editorship of the *Washington City Gazette*, proposes to publish a new paper in that city to be called the "Columbian Observer"—to appear next week, and be issued weekly, semi-weekly or daily, according to the patronage likely to be afforded.

THE NEXT CONGRESS. We learn from the *National Intelligencer*, that of the 187 members that compose the house of representatives of the 17th congress just about to meet, 91 are new members, and there are two vacancies, one in Vermont, the other in Kentucky. Some of the new members, however, have belonged to other congresses. In the senate of 48, there are 8 new members, including the 2 from the new state of Missouri. In the house there is also one delegate each from Michigan and Arkansas.

PUBLIC LANDS. The legislatures of Rhode Island and New Jersey, in addition to those hitherto mentioned, have passed resolutions similar to those adopted by Maryland, respecting the appropriation of public lands for the purposes of education.

POPULATION OF THE U. S. The last "Enquirer" gives a corrected account of the population of Virginia, as ascertained by the late census. The real amount is as follows:

Whites	603,050
Slaves	425,153
Free blacks	36,879
Other persons	250

1,065,332

Shewing an increase of 90,710 persons since the census of 1810, when the population stood thus—

Whites	557,534
Slaves	392,518
Free blacks, &c.	24,570

974,622

The Eastern district contains 917,798 persons, of whom the whites are 469,950; the Western (24 counties) 147,534, of whom 133,100 are whites:

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DEBATES. The editors of the *National Intelligencer* have engaged a competent gentleman to assist them in taking down the debates of congress, and we hope that they will be requited for this effort to serve the public.

THE MAILS. From the *National Intelligencer*. On enquiry at the proper department, we learn that the principal injuries lately sustained by the mail of the United States, in its progress between Charleston, S. C. and Baltimore, were owing to the improper conduct of a sub-contractor, who was promptly dismissed from the service; and that the contractor was charged for the full amount of penalties incurred by the carelessness of his driver.

THE NAVAL ESTABLISHMENT, &c. Mr. Broughton, editor of the "*Norfolk Herald*," has politely inserted the whole matter that we gave in the *Register* of the 10th inst. explanatory of the reasons why the case of com. BARRON was referred to in a former essay on the naval establishment. He says he is now satisfied that nothing more was meant in my allusion to it "than met the eye," and compliments the efforts made in this paper, in favor of national economy, in terms too flattering for me to repeat, though sincerely grateful for his good opinion. I quote the following extracts from his remarks for the simple purpose of renewing the question, why the commodore receives full pay without being permitted to render the slightest services for it and to draw the attention of Mr. B. to a misapprehension of my design in the reformation contemplated by the original essay—

"We say too, with Mr. Niles, why is not commodore Barron employed? Why is he not permitted (and 'tis the wish nearest his heart, we believe) to render some service as an equivalent for his full pay? Be the service what it may, we say, give him something to do. But instead of this, if we may judge from appearances, his employment has never been contemplated; no, not even at the time when he was restored to full pay.

"While, however, we express our surprise, that an officer of com. Barron's rank and qualifications should be compelled to remain idle, though receiving full pay, we are not prepared to go the full length of Mr. Niles' proposition, and strike from the navy list every officer for whom the government has no immediate employment." &c. Then follows some good and sufficient reasons why there should be retained in the naval establishment, a greater number of officers than there can be any real service for in a time of peace.

If Mr. Broughton, or any other gentleman, will do me the honor to refer again to what I first said about this establishment, it must be observed that the object of the essay was as much to preserve the efficiency of the navy, as to reduce its expenses, by driving out the "drones;" and it was by accomplishing the latter, that I hoped still to keep it a favorite with the people, taxed to support it. Much time was spent on that article to shew the necessity, absolute necessity, of maintaining for the service, every officer qualified to benefit his country; nay, I said that there was "an imperious obligation im-

posed on the nation to take charge of them," suggesting only that, for a while, fewer youths should be received as midshipmen. It was those only that never have rendered any services, unless of the most ordinary character, and of whom no efficient services can be expected—that I wished to be dismissed; adding, "the nature of the profession requires that we should have *many times more* superior officers on the list than are actually employed at sea, or in fitting for sea;" but it did not follow because a person had obtained rank by the "mere force of seniority," that he should retain it, "though manifestly destitute of all the requisites that belong to it, or unwilling to exert them." And there are many of these that never will be employed in *actual service*, from various causes, which deny a repose of confidence in them—or by reason of their own determination to live on shore as long as they can on full pay, and resign at the moment when they are called upon to buffet the waves and bear our flag to distant climes. A number of these, of one character or the other, are well known. I could name several, but, though they never fought, or intend to fight, the enemy of our country at sea, they might shew their valor by attacking me on land: however, it is against my rule to mention names and make out personal cases. I only state what appears to be matter of fact, leaving the application of it to those to whom it belongs. I may be mistaken, but I am confirmed in the opinion, and I know, also, that it is the belief of some of the most approved of our officers, that a mighty saving, in the cost of the navy, may be accomplished without discharging one officer, meritorious for *past*, useful for *present*, or to be confided in for *future* services—who, to use a seaman's phrase, never were, are not, and never will be, any more than live lumber. It is these, and these only, that I argued in favor of the discharge of; and how it is that some of them have managed to keep their places so long, is truly wonderful.

I do not affect to suggest other reformatations in the navy than that the public money shall not be wasted on *such* officers; but I have heard it said, more than once, by different gentlemen of the navy, that, if the grade of sailing-master was abolished and a new grade created, to be conferred on the oldest and ablest midshipmen, as in the line of promotion, a saving of 50 or 60,000 dollars a year might be brought about, without the least probability of injury to the service. It is said, that among the midshipmen are many fitted for extensive commands, with a great surplus to fill up the subordinate places which shall be occupied by the grade proposed to be established. But, in this respect, I merely relate what I have heard others say, not pretending to an opinion on the subject, further than what the apparent reasonableness of the thing itself may justify.

There are at present about 75 sailing-masters on the list, of whom about 20 are required for actual service. The cost of the whole is

75 at 40 dollars per month,	per ann. 36,000
730 rations each, at 25 cents,	" 13,687
	49,687

And there are, no doubt, many little *et ceteras*—incidental or necessary to the grade.

FOREIGN NEWS. By arrivals at New-York and Boston, London dates to the 9th of October have been received. They do not contain any important items of news. The following are the chief things mentioned:—

The average price of wheat at Liverpool for the last week in Sept. was 70s. 7d. per qr. Am. flour, from 33 to 35s. in bond, dull and nominal. It appears certain that the *quality* of the crop in England has been much injured by the rains—the greater part will have to be kiln dried—but the *quantity* of edible grain is not less than usual. There is no prospect of opening the ports, except for the introduction of grain from the British colonies, which may be imported for consumption when the average of the three months exceeds 67s per quarter—other grain cannot be so received until the price is 80s. But if even the former should take place, it may have considerable effect on the price of our flour and grain, though bread stuffs are exceedingly abundant on the neighboring continent and very low. After the arrivals, some parcels of flour, bought on speculation, were sold at New-York for 7 dollars and 7 1-8; the wholesale price at Philadelphia and Baltimore is \$6½—but not much doing in the article. It is the opinion of many that the late excitement in England was chiefly produced, and was even yet partially kept up, by speculators—one of whom is said to have cleared 40,000l. by his management, which other persons must have lost. We do not like to take the responsibility of advising our readers on this matter; but if we had flour, we should most certainly sell it for even less than six dollars and an half, if we could get it.

The king started on his tour to the continent on the 24th of September, landed at Calais on the 26th, proceeded to Brussels on the 27th, visited the field of Waterloo in company with the duke of Wellington, and on the 28th dined, in great ceremony, with the king of the Netherlands. Wellington and Castlereagh have returned to England. It is reported that many German *princesses* have thrown themselves in the way of the king's route.

So great is the reduction of the business of the bank of England, that it is said 125 clerks are to be discharged.

Sir Robert Wilson has demanded a court martial as to his dismissal from the army, and was promptly refused it.

It is reported that the famous *Bergami* died with a complaint in the bowels, very suddenly, three days after the British queen's decease.

Stocks—3 per cent. consols 71 1-8; American three's 70; five's 101½ a 102; new sixes 99 a 103, according to date; U. S. bank stock 23½.

The prospect now is, that war will not take place between Russia and Turkey. It is even said that the Russian troops, which were on the Turkish frontier, have been ordered back to their old quarters; but we have not yet been furnished with any positive intelligence on the subject. The question of peace or war appears rather to rest upon opinions than facts. The Greeks and Thessalonians had obtained a great victory over the pacha of Salonica—the monks of Mount Athos took a decided part in it, passing among their countrymen and exhorting them by their voices and gestures. The Greek bishop of Salonica, and many merchants, had been murdered by the Turks. A pastoral letter from the (new) Patriarch has been read in the Greek churches at Constantinople, assuring the Greek community of the protection of government, and recommending a peaceable conduct. This Patriarch, it is alleged by the Greeks at Odessa, has been irregularly appointed—they consider him as a mere creature of the Porte, nay, even a Jew in disguise, and say that they will not recognize him. The Greeks are reported to have gained some new advantages at sea—particulars not stated. Their

naval force is said to consist of 150 ships, carrying from 15 to 40 guns, a greater number having fewer than 15, and of about 500 armed with from 2 to 3 guns: the maritime means of the Greeks are certainly very great, but not, we should suppose, equal to such a power as this.

Lord Strangford, the British minister at Constantinople, has addressed a note to the Porte, interceding for the preservation of the remains of antiquity at Athens, about to be besieged by the Turks; and the commander of the Turkish troops, advancing against that city, has received especial orders that they may not be injured.

The affairs of Ali Pacha, of Janina, are again said to be desperate—the report is that he had offered propositions of accommodation, which have been rejected by the Turks: but we have had many such reports.

The Turks hold several fortresses in the Morea, but appear to have suffered several defeats. By the capture of Monombasia, one of the strongest forts in the Morea, the Greeks obtained 20,000 stand of arms, and great quantities of the munitions of war. Thessaly is evacuated by the Turks.

We regret to hear that "all attempts which have been made to form a concentrated Greek government and to dissolve the separate authorities, have hitherto proved unsuccessful."

The Turks have promulgated a report that their fleet has been joined by 12 ships from Egypt, and that now they can meet the Greeks.

There is much prospect of a rising of the people of the Ionian islands to drive out their protectors, the British—in which we most heartily wish them success.

Seven French ships of war, one British and one Dutch, were lying at Smyrna on the 2nd of August.

The late prospect of another revolution seems to have disappeared in Spain. It is reported that the British minister at Madrid demanded the punishment of a printer for a gross libel on 'his majesty,' George IV. he had spoken freely of the king and his vices—the Spanish government ordered the trial of the printer; but the tribunal, which answers to our grand jury, quashed the proceeding, by saying that they saw not matter of prosecution in the act alleged, and here the affair must rest as to Spain. This is laughable when we recollect what is said of the king at home.

The city of Barcelona is almost deserted on account of a deadly sickness that rages in it. There is a grandee of Spain called count *Montezuma*, said to be a descendant of the ancient emperors of Mexico. His sudden disappearance from Madrid and reported embarkation at Bordeaux, has caused much speculation.

The kingdom of Naples and states of the church are almost over-run with bands of robbers—who appear to have whole districts subject to them. A formidable insurrection has broken out at Palermo—some Austrian troops had left Naples to restore order.

The landgrave of Hesse was negotiating a loan of forty thousand florins, which was intended to defray the expenses of the honor of receiving a visit from the king of England!

The emperor of Russia remained at St. Petersburg on the 9th Sept. It was rumored that he would start for the southern provinces about the 20th. The arrival of couriers was very frequent, and an idea prevailed that there would not be a war with Turkey. The Austrian minister at Constantinople acts, *pro tem.* for Russia.

Desultory Remarks.

FROM "FREEDOM'S CHAIR."

"Plate *an* with gold,
And the strong lance of justice hurtless breaks;
Clothe it in rags, a pigmy straw will pierce it."

"To say that private men have nothing to do with government—is a dishonest saying—for it is to say, that men have nothing to do with their own happiness or misery—that people ought not to concern themselves about their personal safety or happiness—be whether they are naked or clothed, fed or starved, deceived or instructed, protected or destroyed." *Cato's Letters.*

"When the affairs of a nation are ill conducted, and that they suffer through the incapacity or the perverseness of those who have the care of government, private people are justified in stepping a little out of their private station. They enjoy a right of somewhat more dignity than that of idle lamentation over the public afflictions. They may look into them narrowly—and act upon them freely." *Edm. Burke.*

"*Obsta Principibus.*—Nip the shoots of arbitrary power in the bud, is the only maxim which can ever preserve the liberties of any people. When the people give way, their deceivers, betrayers and destroyers press upon them so fast that there is no resisting afterwards." *John Adams.*

It is said now in common discourse that public opinion is the mistress of the world—I say it is the only sovereign that must be dethroned—if it be not—it will soon dethrone all others. *De Ligne.*

"Economy is of itself a great revenue."

"Truth is a victor without violence." *Dickinson.*

Of the government—high notions about it—respect yourself, if you would be respected—the *public goose* mentioned—thankful for miseries!—a rubbing of eyes after a long nap—woe, unto the spoilers—Mr. *Hugner's* big book and "black list"—to *credit* a debtor by "running away," sometimes desirable!—a promise to do a great thing!—for the prevention and reformation of defaulters—value of prompt settlements of the public accounts—a little "rat" caught, bigger ones running at large, and great folks at Washington—a most abominable case of defaulting noticed, and what are faithful services—how to pay off a defaulter's debts—laughing philosophers and weeping philosophers—"half horse half alligator"—the attention of congress invited and some remarks on common fame—the "drawing room"—a living mummy, semi-men and a gorgeous lady—how she was bedecked, and who paid the cost of it—proposition to the president to have the lists of defaulters bound up in wolf's skin and nailed at the door-posts, an idea for which I have some thought of claiming a patent!—the darning of stockings recommended, for the sake of common decency—what should be fashionable—congress about to assemble—a most important matter of *etiquette* requiring prompt attention—hobby horses of the session, as *rostrums* to speak from—good saying about the "Seminoles war"—argumentation and the lawyers—admirable extract from the Charleston "Courier"—the more days the more eight dollars—private members of congress and representatives of the people—sawing wood and hearing long speeches—a pleasant hope cherished—revenue, prospects of—manufactures and growth of wool and flax—"Uncle Sam's" grey goose and the legislature of necessity—easier to borrow than collect, just now—precious things a-head!—wild reformers—stick to specific appropriations—obsolete doctrines and vulgar matters—the sinking fund and a laugh at a subject not laughable—advertisement for a matter strayed or stolen, and a great reward offered—confusion confused, 2 and 3 do not make 6—the labor of the brain—sins of omission—"the question"—abstract questions of right and positive benefits—Virginia and

N. York or Pennsylvania, &c.—of the word “infinitely”—population, small farmers and comparative statements—the difference between acting and talking—a hint to myself—advancing backwards—effects of polity—working people, and their utility—protected orders and the right of suffrage—more comparisons—how to make a small state a large one, or a large state a small one—*practical translation of the phrase ne sutor ultra crepidam*—theory and practice—exaltation of the free laboring classes—the state of things in France before and since the revolution—about extinguishing the public debt!—no matter who governs I must be a *tax payer*—the lash of poverty—thanks to the reader, and a “farewell for the present.”

It is now more than six months since I held a fire-side conversation with my numerous readers and friends, on things of deep interest to them and myself, as joint members of the government of the U. States. Of the government? Yes, sirs, of the *government*: by the gift of God, the wisdom and valor of our fathers, and the constitution of the land. It is true, lamentably true, that “we the people” have not been much minded in these latter times—if we paid handsomely into the treasury, all was well—and it is in such payments that a large part of our merit consists, in the estimation of too many of those who live upon the products of our labor, exacted from us in the shape of taxes. But if we are less esteemed than we ought to be, *the fault is our own*. They who do not respect themselves cannot hope for the respect of others. That earnest disposition to look into our own political affairs, for which we once were so remarkable, has nearly ceased to operate; else we have given up our desires to the success or defeat of certain little, dirty, local factions, suffering the great concerns of the nation to get along as well as they may. Besides, it is rather out of fashion, just now, to talk of the people’s money, the people’s interests and welfare—nay, it smells like “jacobinism;” and, perhaps, partakes of “French influence,” for one to complain of a plucking of the *public goose*, by which so many repose on beds of down. The truth is, as it appears to me, that the office-holders and office-seekers, united with contractors and public defaulters, have a much larger portion of influence than the *tax payers* of the republic. The weight of the former is every where visible; and we see it as plainly as we can discern a nose on a man’s face, even in the hall of our representatives, as they are called—but the interests of the people, in *forma pauperis*, wanders through the lobbies, happy, indeed, to receive a kind look now and then from some of its reputed servants. However, *thanks be to misery and hard times!*—the people are awakening from a long nap, and beginning to think that they must look into their own affairs, as they used to do, and hold every member of congress severely responsible for every vote that he gives. When they are fairly awake, we be unto you, ye tribes of office-holders and office-hunters, who buy and sell the welfare of the people, whose principle it is to pursue your own interest!—for many of you will be tumbled head-long from your lofty places;—and if you lie there in the mire of your own misdeeds until I help you out of it—be assured, that you will remain there a considerable time; and after a plentiful disgorging for the benefit of your health!

In my last “desultory remarks,” a good deal was said about a large book that had shortly before been published, from documents furnished by Mr.

Hagner, third auditor of the treasury, giving the names of persons and amounts of money apparently due by them on his books, of more than three years standing; the aggregate of which exceeded the sum of fifteen millions of dollars. It is notorious, that not one cent is due from many persons so reported, by reason of the difficulty and delay that so commonly attends the settlement of an account with the public; and an honest Kentuckian, whose name was so infamously posted, indignantly denied the fact, saying also, “that he would rather be called a highwayman than a public defaulter,” and some others have felt it right to clear up their characters in respect to such charges. We now hope that a good many of these accounts have been adjusted—even settled, as I am sometimes glad to close some of my own, in a *credit* “by running away,” “by the benefit of insolvency,” &c.—and I do trust that, as we are so much in want of cash at this time, Mr. Hagner has collected a million or two.—It would look so handsome in his new report, that I promise him to select the best quill in my bunch, and make of it the finest pen that I can, to write out for him the most beautiful compliment in my power to offer, for an act so meritorious. I shall not forget this promise, when the new list is published.

I have oftentimes thought that one half or two-thirds of these balances on the books of the different auditors, or due to the general post office, &c. &c. might have been prevented, and that many of those that exist be soon wiped off, by a short act of congress, declaring that no person whatever, should hold an office of profit or honor in the U. States, whose accounts were twice reported as being unsettled more than three years—or become a party to any new contract or dealing with the government or its officers: conditioned also, that the fact of being reported once, as owing money more than three years, should in like manner disqualify persons, unless some reasons were given by the officer having the matter under charge, to shew that the reputed defaulter still remained on the books without any omission of duty on his part to have the account closed; which reasons should be submitted, first to the judgment of a select committee of the house of representatives, and then be approved of or rejected by a resolution of both houses—no excuse, however, being admitted for a second report of such delinquency. This might bear hard in some cases, and deprive us of a few meritorious officers, but it would be productive of mighty benefits to the nation; and laws are enacted more for the coercion of dishonest men than the regulation of the upright. And to secure the observance of this regulation, it might be further enacted, that any officer who neglected to return such delinquents, should be declared *infamous by statute*—forever irrepealable as to him, except on ample proof of innocence of intention, or through honest mistake. As the great object, just now, is to replenish the treasury, perhaps this suggestion may be worthy of consideration; for a prompt settlement of accounts can hardly be valued at less than a million of dollars a year—*communibus annis*.

While reflecting on this subject, I am naturally led to speak of certain things that have occurred in regard to the post office establishment. We have lately seen in all the newspapers a pompous account of “a rat caught,” “a rat ferreted out,” through the address of the post master at Petersburg, Virginia; who contrived matters so that a young man at Louisville, in N. C. was detected in appropriating to his own use monies of other per-

sons. This was very clever, and I feel much indebted to the gentleman for the ingenuity and perseverance exerted in catching the little "rat;" still I think there are many bigger ones, attached even to this establishment, that are not only running at large, but who are great politicians and very important men at Washington city and elsewhere. The following, I verily believe, is about a just representation of a case that exists in relation to a certain postmaster—it has been repeatedly published as a fact, and I have heard it an hundred times reported in conversation, without any sort of caveat against it. If it is not true, the honor of the government requires that it should be contradicted—for if it is true, it is one of the greatest outrages on common decency that I ever heard of. This is what is said—that the postmaster alluded to, through his powerful connections, aided by the force of party-feeling, took the place of a person dismissed, without the allegation of a fault in the management of the office;—whether the dismissal was right or wrong is nothing—but it exceedingly increased the obligation on the successor to behave circumspcctly. Well, seated in the office through office-rent and the various *et ceteras* that hang about "Uncle Sam's" accounts, as they do to a taylor's bill, he received a sum that amounted to between 4 and 5000 dollars a year, if not exceeding the latter. This was not enough, and he became *minus* in his accounts with the general post office in the neat little sum of *thirty thousand dollars*. Now, the plain republican will suppose that he was instantly turned out, and, with his securities, handed over to the district attorney for judgment and execution according to law. No, no; the story does not tell thus—it was generously agreed that the office should be put out to *nurse* for his benefit until the deficiency was paid off! That is—a special agent was appointed whose duty it was [and is] to receive and pay over, and manage all the *money* concerns of the office, (the officer himself not being permitted to handle any part of the current cash), allowing, however, to the said officer the full amount of his compensation; some part of which goes to credit the sum defaulted, and the other part to the support of himself and family, on account of his faithful services to the public! Now, if what is retained by the agent, of the emoluments, office-rent, &c. &c. of the post master, shall even be 2000 dollars a year, the principal of the debt and its *interest*, will be paid off in twenty or twenty two years, for which space of time and for the purposes stated above, there seems to be a sort of understanding that he shall be supported by the people—

"As snug
"As a bug
"In a rug."

It is with deep mortification and sincere regret that this case has been referred to—but I shall not give it a location or name. It is of no importance where or with whom it happened, if the facts stated are true, and, from personal and political feeling, I should be very glad to hope that they are not; but I must firmly believe that the material things mentioned are solemn realities. If so, they ought to be proclaimed on the house-top. There is nothing in them that corresponds with the genius of our institutions, and it is the excess of folly to point out the defects of foreign governments while such doings are permitted in our own. It is true, we do not expend our millions a year on favorites, and the mummery of the late coronation in England, perhaps, cost as much as we are defaulted of in the course of a whole year; but if the people of that country are such intollerable asses—mere Issa-

chars or bearers of burthens, to support such fooleries, it is no reason why we should *ape* them. I am sorry to believe that too many cases like that reprehended, have occurred; and, what is most to be feared, is that they are becoming common. It is impossible for me to believe that any one should be placed above the operation of ordinary justice, for that would be to give the lie to what we contend is the great principle of our government; and there must be a *responsibility* incurred in every transaction of the sort, which should be closely pressed home on those whom it concerns. I do aver that, admitting the facts stated are true, the public have a right to know how they have happened, and an enquiry, by *congress*, is apparently necessary, for the sake of the example. Common fame is oftentimes a liar but it is not beneath the dignity of the representatives of the people to ascertain how far common fame speaks truly in a case like this, which affords such a detestable precedent.

While on the subject of defalcations, another mode of checking them may be suggested, and respectfully recommended to the attention of the *president of the United States*; the person that, of all others, ought to be most interested in this matter—and, really, I would hope that he is, for I believe him to be an honest man.

When I tarried at Washington last winter, I went to our house, (commonly called the president's), one evening, to see, for the first (and most probably for the last) time, what is called "the drawing room;" where, indeed, I was much pleased to meet with some gentlemen that I should feel a pride in meeting with any where, and who would do honor to any country: and the affability—the *I-care-for-nobody* sort of conduct that prevailed, was very suitable to my disposition. There was a large number of men and women present; yet a great degree of order was observed, honorable to the parties congregated on the occasion. There were fat widows and slim misses; one of the latter, who appeared to be the goddess of the evening, was so fettered and laced as to cause me then to apprehend that, if she had the misfortune to fall down, we should have to lift her up, "right-on-end," like an oak log, not being *bendable*—besides these, there was a full supply of demi men, some of whom amused me not a little with their *tricks*. But there was a certain woman whose splendid appearance attracted much attention—her gorgeous dress raised the yankee so much within me, that I asked her name. It was—no matter what; the wife or daughter of one of those standing recorded on an auditor's book, as a large defaulter, for more than three years. On this, not very gallantly, perhaps, instead of doing homage to the charms of the lady, I began to count the part that had been taken from my pocket to fit her out, and I supposed that it might amount to as much as would give a meal's victuals to as worthy a person as she; for the cost of some of her ornaments was trumpeted in my ears by one that stood near me, as if he had been informed of them for that purpose. On retiring, which I pretty soon did, the thought occurred of suggesting to the president, that a copy of every auditor's list, bound up in WOLF's skin, should be nailed to the door posts of the grand entrance of the drawing room, with instructions to the servants to admit no man (or his family) whose name was to be found therein: not that I would be rude to the ladies—but, according to my notion of things, the wives and daughters of such persons would be much better engaged at home in darning stockings than in parading before the public, insulting even

the chief magistrate of the nation with an exhibition of their spoliations on the people. I mentioned this idea to a member of congress and he laughed heartily at it—but said, if all such were excluded from the “drawing room” it would lose much of its *brilliance*—and in this I was forced to agree with him. So, not being encouraged in my old fashioned notions of decency, I gave up the project as hopeless—until it shall be again *fashionable* for the people to strive to pay their debts by industry and economy. I am not without hope that the period for this is approaching. May heaven hasten the time, when those that “fear God and pay twenty shillings in the pound,” will be at the top of the wheel again.

The new congress is about to assemble, and we believe that there is an accession of worthy men in that body; but the majority, I fear, is still garrulous; having many *two-day's-speech-men* among them. The first month, until “after the holidays,” will be given up to frivolities, according to custom—no important measure will be considered in that time,—however powerfully urged by some who *think* on what they ought to do.* At some social party, perhaps, it will be settled what shall be the *hobby horse* of the session—the thing to be *talked* about. The “Seminole war”† and the “Missouri question” served several sessions, and whether recent events

*It may be, however, that one most momentous affair (which greatly agitated the mind of the fashionable world at Washington nearly the whole of last winter, and divided the people thereof into two parties, as hot against each other as the *Demos* and *Peds* used to be) will be settled during this period, as I have heard it reported that several dignified persons, called “*honorable*,” have determined that it shall be—being resolved not to spend another session in such an unpleasant state of controversy!

The amount of the dispute, I understand to be this—whether the lady of a secretary of one of the great departments of government, or the lady of a senator of the United States, shall *first* drop a courtesy and say “*how do you do, ma'am*,” to the other. That such secretaries and senators are entitled to be called “*honorable*,” [by the *constitution*, I suppose, though I never have seen the clause!] is admitted by both parties; but some contend that said secretaries may be called “*their excellencies*,” which shews a superior grade of rank—as much so as that which exists between *baron Apple-dumpling* and *earl Apple-pie* in England, &c. and great learning has been displayed on the subject, by *honorable* members of congress and others. It is agreed, I believe, that the wife of a *representative of the people*, or of a member of the *lower house*, holds inferior rank to the lady of a secretary; but it is contended that the wife of a senator, representing the sovereignty of a state, must be upon a par with any other lady, that of the president excepted. I do not recollect with whom this dispute originated, and much less who was thought to be in the fault; but it seemed to me to occupy *quite* as much attention last winter as any thing else, except the “Missouri question!” in a certain set of persons.

†An old lady accustomed to take up the newspapers received by her husband, acquired the habit of calling this word “*semi-owl*,” so, when any one happened to ask in her hearing what congress was doing, she always replied, “they are still making speeches about the *semi-owl* war.” This being repeated several times in the presence of an old farmer, he, one day, sarcastically remarked, that if *whole*

in Florida, or the propriety of breaking an egg at its big end or little one shall be taken up for *speech-making*, we are not advised. The state of the nation, the condition and prospects of the treasury, and the abuses that exist in different departments of the government, &c. are too serious matters for the *speech-makers*; for, if they speak on these, their speeches must be short, and it will require much thinking to speak decently on them at all—but as to abstract questions, or such as depends upon points of law, who is there that does not feel qualified to make a speech, and argue on this side or that side, or *both sides*, of the case? The able lawyer, who has thumped the bar of a county court-house with approbation, is almost compelled to make a speech to maintain his honor—at home; even if delivered to empty benches or *letter-writing* members, who expect to see it in print, and will attend to it “at a more convenient season,” perhaps, if it is lustily puffed in the newspapers. On subjects of this nature, the editor of the Charleston *Courier* happily expresses himself, and I copy his remarks because they amount to what I myself would have said, if I could have said it as well:

“If the new congress steers clear of the embarrassments of the last, it will still have many important, and we may say some imperative subjects of legislation. Of these we shall occasionally exhibit our views—being perfectly satisfied that an American statesman, if he reads nothing else, always reads a newspaper. The business of congress, whatever be its nature, may be much expedited. In the British parliament a debate is never adjourned over from day to day, but the decision is first taken. The legislatures of this country, with one or two of which we are familiar, do very seldom, if ever, adjourn without coming to a decision on the question before them. The consequence is, that, on a subject being brought before either house, if the house wish information, the question is postponed; but if it be taken up, the leading men on both sides state their reasons pro and con—the house is as fully informed as it could be if addressed by every member—and the question is taken and decided. No time is given to prepare elaborate speeches, and ordinary men shrink from obtruding their crude ideas, after the enlightened efforts of their superiors. Now, in congress, every thing is the reverse. Six days, in which were made “the heavens, and the earth, and the sea, and all that is in them,” would go a very little way indeed to perfect a debate in congress. By that time indeed, they may penetrate the bark of the subject, but the inner covering is unaffected, and the heart is beyond the reach of nine-tenths of them. Take up a subject after it has been debated at Washington, and you will find it exactly like a target, which has been exposed to a hundred cockneys. Missed entirely by a great many—a shot here and there in the borders, and at the extremities, but precious few in the neighborhood of the heart or head. The truth is, and it is too serious to joke about, that the representatives’ hall seems to be a school of declamation, a gymnasium for the tongue! and we, the sovereign people, are compelled to pay for their prize speeches without the privilege of hearing them. Some rule ought to be adopted to check this waste of time, where time is most important.”

I apprehend, however, that it is not the wish of a majority to despatch business! To some, the

owls, instead of *semi* ones, inhabited the capitol, the nation, perhaps, would not suffer much detriment by it.

eight dollars per day is a matter not to be disregarded; the more days the more eight dollars! Others cannot so soon accomplish the private purposes for which they left their homes; they must get acquainted with those who have influence and acquire it themselves—if not with a view to a snug birth at present, in the hope of laying a foundation on which to build their future greatness. The men of *business*, whose intention is really to represent the *people*, are always on the whip with an eye to an adjournment—that, having performed their duty to the public, they may attend to their more profitable private concerns again; but these have been a small minority, always over ruled by the other classes, except in cases of great emergency, and so almost worried to death. The chief misery of this state of things is, that the *business men* are disgusted and retire from their seats in congress, thus depriving the nation of their usefulness, and surrendering up its momentous concerns too much to those who affect an attention to them only from self-interested views. A sensible man would as willingly make his living by sawing wood, as in listening to wire-drawn speeches delivered on the “question” taken up, as the thing to be *spoken to*; and hence the unfortunate result just stated. But let us not despair—let us hope that this new congress may be a body of business-men, swift to hear slow to speak, apt to think, prompt to decide. We shall soon see of what manner of stuff it is composed, and, surely, among its members we have a number of most valuable men—sound statesmen and honest.

But what are the members of congress about to do for *revenue*? Some will not raise the tariff, because, as they say, it will exclusively benefit the manufacturer, though this is proved false by facts as notorious as that the sun shines at noon-day. The revolution that has taken place in consequence of improvements in labor-saving machinery, is astonishing—a little while since, the cotton manufacture seemed about to expire—now we sell home-made goods cheaper than they are fabricated in England, and cargoes of them are exported to South America, &c. This shews that the tariff has ceased to act as a bounty of such goods.* Those of wool are advancing, though yet combating with considerable difficulties—even that of a want of wool; though a sheep-farm of 100 acres, is more productive of profit than an ordinary grain-farm of 500: but common sense will bring about an abundant supply of fine wool, even for exportation. I have no doubt that it will become a staple for the

foreign market, second perhaps in value to cotton, before many years, because it will bear transportation from the interior. Flax, also, is about to be a great commodity, and this will also support the cost of carriage as a raw material; but the duty on flaxen goods, as it regards the chief of them, is nominal—the foreign bounty on their export being equal to our duty on their import. I am, however, diverted from the subject I meant to speak of—that is, the “ways and means” to keep the wheels of the government a-going; a most serious concern, especially to those who live upon the treasury, or expect to become rich by *plucking* “Uncle Sam’s” great grey goose. “You cannot get blood out of a stone,” nor can the people pay new taxes unless the means of making money are extended to them—they are not yet, blessed be heaven for it! reduced to the condition of economizing for the sole purpose of contributing to the public treasury, as is the case in many European countries; and I guess that they will kick very hard before they are brought down so low. What’s to be done? I don’t know, nor much care: the *legislature of necessity* has been in constant session for the last two or three years, and enacted many wholesome laws with an authority that congress cannot resist; for the laws of that legislature are paramount even to the constitution itself, and will cause themselves to be respected of their own force.

I think it most probable that our wise men will resolve rather to *borrow* than *collect* money—it is easier done, just now, and their *POPULARITY* will not be so much hazarded: a few crabbed old codgers, who, when they make a debt, always calculate its payment, will complain—but what are they to “the million?”—less than a few *big* speeches applied *secundum artem* to the production of great men! Perhaps four or five millions may do this year,* five or six in the next; but, in the succeeding one, we must borrow most lustily, a part of the war debt being payable, which both the president of the United States and the secretary of the treasury, a little while ago, told us could and would be paid “like nothing”—giving us to understand that we need not bother ourselves about it, but leave every thing to them! How long this system will last, I cannot tell; it may blow up of its own combustible nature, for credit is a very ticklish thing. But sometimes I fear that we are rapidly approaching the condition of that country wherein “a handful of millions,” in the public accounts, is not regarded at all; and at present, the prospect of paying off our public debt is no more exhibited to our view, than the payment of their debt is to that of the people of England. It is not even talked of—it is a “stale and unprofitable” thing to think of. Forward, forward—borrow, borrow—and realize all the “blessings” of a public debt, in a strong government, based on the backs of shavers and money lenders, the most feeling and disinterested class of patriots that ever existed! Yet—if congress shall authorize another loan, without adopting some measures to arrest the practice, I must think much worse of them than ever I wish to do of any body of men, pretending to *moral honesty*.

*I have recently met with the assertion that “we have kept up the price of cotton goods of our own production, by conferring a *monopoly* on our manufacturers.” This is so far from the truth, that, perhaps, it would be a good business to our manufacturers, if they were allowed to export their goods to Great Britain—duty free. It is a fact that goods of like quality, cannot be purchased cheaper in Manchester than at Providence, R. I. Strong cotton cloths, of American manufacture, may be had at 12½ or 13 cents per yard—does any one desire that the price should be reduced? One yard of them is more valuable than two or three yards of the thin cottons of India, and worth more than the most of such goods that were received from England. It is hardly possible to hope that their price and quality can be much, if any, reduced, without a great reduction in the value of the raw material. Let there not be any *mistake* about it—this hint is intended for the growers of that article.

*It is stated that the amount of *taxes* collected at the custom-houses of New-York and Boston, has considerably exceeded the amount received in the corresponding months of last year. It is very probable—but by no means goes to shew that the aggregate has increased. New-York, especially, has had an unusual portion of our foreign trade.

I observe that several who are *leading* editors in some of the states, think that the imposition of *new taxes* would be impolitic, apprehending that they cannot be collected. They do not fairly and fully advocate *new loans to pay current demands*, because it would look rather bad; but some hint prettily plainly that they will be resorted to; and others call out for a retrenchment of expenses. Indeed, for my own part, I shall not be surprized if, in the *re action* from waste to niggardliness, the best interests of the country are sacrificed in several important respects. The hurry or necessity of reformation not unfrequently precedes destruction. Of this I have warned those interested, very often, within the last three or four years. Institutions and men, on whom millions have been expended from time to time, may be swept away from public usefulness, by the re-action so feared. But those wild for reform, should recollect, that "two wrongs never made a right;" that one extreme is as much to be deprecated as the other. Let them recall the attention of all concerned to that once favorite rule of our government—SPECIFIC APPROPRIATIONS; let not the president give orders for the payment of any particular sum of money unless specially authorized, and castigate severely each head of a department who disburses more than the amounts allowed by act of congress, except in cases of great emergency, which shall be satisfactorily shewn—and much will be done in the way of reformation. It is probable that, as soon as I have a little leisure—if ever such a time arrives—I shall make a table to exhibit the difference between the amounts *appropriated* and those *expended*, in the four or five years past. I venture to say that it will "astonish the natives!"—but there will not be in it any thing pleasant to the republicans of the old school, who used to contend that congress—the *representatives of the people*, held the purse-strings. But that doctrine is nearly "obsolete" and was quite vulgar in more *polite* times.

I really laughed outright at the suggestion of an editor favorable to *retrenchment*, who said, "certain branches of national expenditure, which it is *unnecessary* to point out—[how "unnecessary?" is the waste and prodigality so self-evident?—may be judiciously retrenched: in addition to this, the *SINKING FUND of ten millions may be reduced without producing evil or dissatisfaction!*"* The secretary of the treasury and the committee of ways and means, will not thank the editor for such a proposition! He talks about the finances, but does not know, (or else would make the people believe—what I will not suppose), that the surplus of the sinking fund was deliberately seized upon to meet the current expenses in 1820, and that, for the year 1821, the said fund was not even *mentioned* in the estimates of Mr. Crawford!† See his report of

*"Franklin Gazette," Nov. 13, 1821—though the merit of this matter was conclusively shewn to the editor, in reply to one of his articles, in the REGISTER, of the 15th ult.

†The sum of 10,000,000 on account of the "public debt"—that is, on account of the *sinking fund*, formed a *permanent* item in the estimates of the secretary of the treasury for a succeeding year, until his report of Dec. 10, 1819, when he deviated from his usual course, and *lumped* the estimated expenses of 1820, keeping that item wholly out of view, because, perhaps, he hinted at a use of its surplusses—"if allowable under the provisions of the act," and it was snapped up! In his report of 1820, he gives the usual detailed estimates of the expen-

Dec. 1, 1820, vol. XX, page 230. I pledge my word to this editor, that, before I saw his paragraph, or dreamt that any one believed the sinking fund to have a virtual existence, I had sketched the following advertisement:

"Whereas one of the earliest acts of the congress of the United States, under the present constitution, was to establish a SINKING FUND for the redemption of the public debt, which was *newly modified and augmented* in 1802, to the sum of \$7,500,000;—in 1803, raised to 8,000,000, and in 1817, further advanced to the sum of 10,000,000, soberly and solemnly set aside for purposes specified by law, and 'as above stated,'—and the said FUND having strayed or been stolen "in a time of profound peace"—though the act says that it shall not be diverted from its object "unless in the event of a war between the United States and a foreign power," or words to this effect—

TEN MILLIONS OF THANKS REWARD, and the gratitude of the whole nation (office-holders and office-hunters excepted), will be given to any one that will bring to justice, before the bar of the public reason, any person and all manner of persons, who have caused the said fund to stray away or suffered it to be stolen, having been appointed to guard it.

To give a clue to the discovery of the perpetrators of such neglect to defend, or participation in the default of this fund, the following additional information and description of it is given: It was hale, healthy and prosperous and AT HOME, until the year 1819, when the secretary of the treasury distantly proposed to let it stray away, "IF ALLOWABLE" under the act, [these are his own words], and the committee of ways and means, in their report that followed in the wake of the secretary's, advised a straying of said fund, "but DEPRECATED A RECURRENCE OF IT IN FUTURE YEARS"—and since that time, to wit, the 20th of April, Anno Domini 1820, the said fund has never been heard of, either in the report of the said secretary to the last congress, or in the report of the said committee of ways and means, to the same—and is, therefore, supposed to be defaulted; and the above reward will be paid, on the condition stated, by

THE PEOPLE OF THE U. S.

But, to take leave of this subject in a few words: the difficulty of ascertaining the state of the treasury, whether real or designed (I hope not the latter), has caused its affairs to be slightly or superficially passed over, by congress. The committee of ways and means appear frequently "at outs" with the secretary, and it is too much trouble for private members "to compare things with things," and ascertain which is in fault, or whether either is right. It is very clear to the most common mind, that these great parties, in regard to the finances, have not seen or reasoned alike—because every body knows

disitures for 1821, but makes no mention of the *sinking fund* I believe, in consequence of its last year's diversion!

In the estimate of 1818, for 1819, there is this item:

"Public debt 10,000,000

That meant the "sinking fund."

In the estimate of 1820, for 1821, we have this item:

"Public debt 5,477,777 76

This did not mean the *sinking fund*, but the amount of interest payable in the year, and some small reimbursement of principal.

The curious in these things are invited to look at the reports of 1818, 1819 and 1820, and compare one with the other. See REGISTER, vol. XV, page 257; vol. XVII, page 260; vol. XIX, page 230.

that 2 and 3 do not make 6; but which is right, and, if one or the other puts down the past fairly, or calculates the future reasonably, it is too much labor to enquire!—a man would be compelled to fill a whole table with documents, and then to add up and substract *figures*—why—many would rather maul rails for a week or make a *three day's speech* before congress, neither of these requiring an exertion of the brain! I repeat what I have said before—that our financial affairs have been wretchedly managed; and that, if we are to judge from results, there has not been a capacity* to understand them. I speak thus, because I would not impute *crime* to the conduct of any man, when he may be excused on the plea of ignorance, or even of inattention: but there are "sins of omission;" and not to have foreseen and provided for the present disgraceful state of the nation, is a mighty one of this description.

It may be well to revert to what I have called "the question" which is fixed upon to serve the purposes of the *speech-makers* in congress, and to apply the *practice* of it to the conduct of some of the great states of this union. We see that Virginia is making a very rapid retrograde motion, compared with New-York and Pennsylvania, &c. and I truly believe that this has been partially brought about by the operation of the same principle that prevails as to "the question" just alluded to. Virginia, but lately, had the first grade in representative power; she now stands third, and is the fourth in rank as to *real* physical strength, if not thrown still further back. The excess of an unfortunate species of population may have contributed to this; but not more so, perhaps, than the policy of her legislation and the bent of mind in her politicians. Unhappily, her splendid talents and most accomplished and learned men, with whom she so much abounds, have been more applied to *discuss* and *settle abstract questions of right* than to *accomplish positive benefits*; and these have given a tone or fashion to the mass of her citizens, especially those who, from their wealth and influence, move in the higher circles. I firmly believe that Virginia would feel more pleased at giving a *quicus* to the late decision of the supreme court of the United States, in the case of *Cohens*, than New-York will experience on the triumphant accomplishment of her *mighty canals*, or Pennsylvania feel in the perfection of all her projected internal improvements. Far be it from me to condemn the tenacity of Virginia on constitutional points, and especially in regard to the case just above mentioned; but every man must regret to see the wonderful talents and powerful means that she possesses, apparently directed *only* to such concerns. Little, if any thing, is done to encourage free labor, but much is done, or suffered to dishonor it; and hence the free laborer is always looking to some other state for a home—a place to deposit his bones in. I would not depreciate talents, because my amount of stock is so small—but there is a sort of *common-sense* remark and a kind of *practical* legislation, that is *INFINITELY* more valuable than the best made speeches, and most elegantly drafted laws. I say "infinitely," a word that I very seldom use, considering it as almost consecrated to the "DEITY and HIS works, because I do not recollect another that comes up to my understanding of the case. Population is the

first principle of power in a state, and this is rendered more or less efficient by a fruitful soil, advantageous position and wise legislation. As to, soil and position, Virginia yields to no other state—but the habits of thinking and the manner of acting in her leading men, drives out her free white productive population, by the encouragement and countenance that is chiefly afforded to objects attainable by the labor of slaves. The acquisition of a slave, as *property*, may, at first sight, be regarded as a new field of a certain number of acres rescued from the forest; but the slave dies, and the improvement remains, and on it, a free *citizen*, with his family, may be seated, ready to defend it. But Virginia is destitute of that grade of farmers which abound in the states north of the Potomac, except in some parts of Maryland;* a numerous body of men, holding from 50 to 200 acres of *their own*,† who, until lately, lived on the fat of the land, and "cared for nobody further than civility;" and who are, *even yet*, more comfortably situated than any other class of people in the United States, and the most *INDEPENDENT*. The policy of Virginia is hostile to these; and hence it is that a large number of emigrants are thrown out and few received, though her population is sparse and good land is abundant: but this subject has already proceeded beyond its designed limits, and the following summary exhibitions may illustrate all that can be said about it:

*All that is said about the condition, policy, or constitution of Virginia, might be substantially applied also to *Maryland*, if her politicians held so high a rank in the national councils; yet a greater degree of attention is paid to the encouragement of free labor in the latter than in the former, owing, perhaps, to the mighty weight and exceeding population of certain districts in the state, wherein the slaves are comparatively few, notwithstanding the violence suffered by such districts in the injustice of the constitution, regarding representation. The whole increase in Maryland, in the last ten years, was only 26,754—but the increase of Baltimore, (including the city), Frederick and Washington counties, was 30,768,—5,000 more than the whole increase of the state. It is these only, (tho' Cæcil is coming on handsomely) that can be regarded as mixing the business of the manufacturer with that of the agriculturalist; and the many large establishments of the former give a home-market to the latter, or enable him to bring his goods to Baltimore, as the commercial emporium, in their most improved and least bulky state. There are, probably, more *free-holders* in these three counties, (even excluding the city of Baltimore), than in all the rest of Maryland, and the effect is visible in their greater wealth and increase of numbers; and, as to internal improvements, the people thereof, in their private capacities, may be said to have effected almost all that have been made, aided by the city, deeply interested in them. Yet these districts do not exclusively possess a kind soil, nor is their location peculiarly happy. Whatever advantages they enjoy may be considered as the result of the simple fact, that free labor is honored in them. The lord of the soil holds the plough, and the mechanic is not rejected, on account of his calling, from what is considered as the best company, unless in some little knots of people in the city, who are rather laughed at or despised, than courted, by its virtuous inhabitants.

*Let no one think hard of me for this—until he looks at the diff-rent and *differing* reports on the subject. The proof is in "black and white"—recorded. There is no getting clear of it.

†There are a few settlements of Germans and Quakers, &c. that form exceptions to this general remark.

	Population—Free persons.			
	1790	1800	1810	1820
New-York	318,796	565,437	944,032	1,369,900
Pennsylv'a	430,536	600,839	809,296	1,046,569
Virginia	454,983	539,181	582,104	640,179
Ohio	[none]	45,365	230,760	581,434
	Aggregate numbers.			
	1790	1800	1810	1820
Virginia	747,610	880,200	974,622	1,065,332
Pennsylv'a	434,373	602,545	810,001	1,046,844
New-York	340,120	586,050	959,049	1,379,989

We have no means of shewing the probable progress and present condition of those states as to wealth; but have no doubt that, in regard to New-York and Pennsylvania, compared with Virginia, it has shifted its relative proportions even more rapidly than in respect to population.

There is nothing in my mind like pleasure on offering these contrasts, except to shew the triumph of practical good sense over fine talents and brilliant theories—the difference between acting and talking; and, as to the latter, such a man as *Franklin* would do more good in a speech of ten minutes, than all the law-lumber and splendid eloquence displayed about the Seminole war. Here I might well take a hint for myself and stop writing; but really, I think that I have something more to say—not being able to express myself with a *Franklin's* brevity and point.

In dwelling so long on what appears to me to be an erroneous direction of the talents of Virginia, my object was two fold: first, to afford a practical effect of discussing "the question" by congress, and secondly, to ask if the policy pursued to by that state, in regard to herself, which has thrown her from her high rank in the union, will not produce the same effect if applied to the concerns of the union? Every Virginian is sensible of the decline of power spoken of—it cannot be disguised, and it is the meanest affectation to pretend to conceal it: there is no effect without a cause—then, let the enlightened of that state enquire into and remove it. Hosts of prejudices must be overcome; and the first stroke at them should be made in a revision and amendment of the constitution, to place the power of legislation in the hands of those who carry the musket and support the law;* by which free labor may be rendered honorable, and a rightful equality exist among the people. But let us stick to the question. New-York, and Pennsylvania, &c. encourage domestic manufactures to afford a market for small farmers, and, together, furnish the materials of commerce. Working people are to be found among their legislators, bringing with them the rich stores of experience to be added to the common mass of useful intelligence. These leaven the whole "lump" with a spirit to do something, after it has been sufficiently talked over, and the effect is seen and felt by the whole increasing population, ever on the stretch for further advancement and improvement. In Virginia, domestic manufactures (those in some families excepted), are not encouraged, nor are small farmers desired, perhaps, because they lessen the political power of those who at present hold it; and the cultivators of tobacco appear as if they were the only persons (though not, perhaps, an hundredth part of the free population) whose interests are worthy of *peculiar* care. Here

* We have more than once mentioned that in a certain company of eighty men, called out to defend the shores of Virginia, in the late war, only one was entitled to vote!

and there is located a gentleman with an estate too large for his own inspection, too great even for his own comfort; and for miles around him poverty reigns uncontroled, except in a few detached spots, like oases in an African desert—or in some of the western counties, with whom the power of legislation does not rest, though that of the effective population may. Working people are rarely found in the general assembly of Virginia, for the reason that such are not respected as in the northern states; and, even if they were, their situation would be uncomfortable on account of the disposition of their colleagues to discuss theories and argue abstract points, rather than do any thing in which their experience would confer importance on them. The eloquent reports and papers that have appeared in Virginia about the armory and literary fund, and about or from the board of works and concerning the university, would fill a mighty volume, and stand a monument of honor to the talents of her great men: but still it might be compared to "a painted sepulchre, filled with dead men's bones," if we ask *what good* has resulted from the display of so much learning, put together with such elegant words? With means so ample, what has Virginia done to raise up a virtuous populace?† Where are her *common schools*, turnpike-roads, noble bridges, useful canals? On paper only. If these things are so (and indeed, I should be glad if they were not), does it not shew a radical defect in the disposition and policy of Virginia? An illustrious man of antiquity boasted that he knew how to make a small city [or state], a large one: the Virginia policy is to make a large state a small one. It serves to keep the rich rich, or make them richer—the poor poor, or render them poorer; there is no practical legislation to exalt those that are in humble stations, but to maintain a sort of baronial subjection, by keeping them out of the higher classes of society. *Ne sutor ultra crepidam* is the grand motto, thus translated—"once a cobbler always a cobbler."

It is my wish always to be my own interpreter—all that I mean to insinuate it is my practice to say; for I am not wedded to any man or set of men,—their morals, religion or politics: I have lived long enough to believe it right in me to think for myself. This remark is made because I know that some are always ready to garble and distort, and make false representations of what others say, if it happens to be opposed to their own blind devotion to men and things. There is not one sentiment within me that is hostile to Virginia, and I have almost revered her, through the love that I entertained for her great men, and would not herald the real or supposed errors of her legislation, except to shew them as erroneous. The opinions of her politicians have long guided the political helm—she was the *Palinurus* of the republican party; and we all felt most easy when her influence was most felt in the national councils. She received rather than exacted the support of other states in her measures of policy, and they were apparently good so long as the regulation of our own affairs were dependent upon the mighty events in Europe, brought about by the wars of the French revolution. The greater part of the present generation received its habits of thinking from those ARTIFICIAL excitements; and, being so long indulged, they are not easily parted with for the REALITIES that belong to

† Easily destroyed, but not easily reared—and, without it, what are kingdoms and states?—The countries of masters and slaves—inevitably so.

a state of peace, when every nation must rest upon its own resources. We are still gaping at Europe—wondering when and hoping that the people of that quarter of the world will get to cutting one another's throats for our benefit! This is plain matter of fact—few are hardy enough to deny that their calculation of "good times" in America is founded upon "bad times" in Europe; to the degradation of our character as men, and the violation of every pretence to Christianity. It is entirely evident to us, that the state of things has essentially changed—it was summer, it is winter; and we must conform to the changes of the times as we do the seasons, because we cannot regulate the one any more than the other. The policy that *might* have been correct before the termination of the French revolution, may be wrong now—We raised a plentiful revenue by duties on imposts, and it was easily paid, because the foreign market kept up and encouraged domestic industry—the latter flags because the former has failed, and the revenue is deficient from the want of means in the people to purchase foreign commodities. We know that this mode of raising a revenue is insufficient, and must needs be so, unless in a time of general commotion and war. Ours is the only government that ever relied upon it, the only one in which it so long maintained a respectable standing. The impost in France, Britain, and others of the most enlightened nations, is used as we must use it—as a *balance-wheel* to keep internal industry in order—to prevent fluctuations and secure a profit to labor; it cannot, must not, be relied on for any other purpose.—We know that it cannot be relied upon as revenue, we see that it must be assisted by other exactions that are not dependent on the will of kings and princes, whether they will make war or proclaim peace. The times have changed and we must change with them; what was so pretty in theory a short time ago, is not adapted to practice now. Some saw this a long time since, and predicted the evils that would flow from a perseverance in the import system for the revenue—but most of us would not see until we felt its evils; and it is now almost universally agreed that we must look to ourselves, though some are loath to acknowledge a change of opinion. The free-labor of the country, no matter how applied, must be cherished—self-preservation demands it. All then, for which I humbly stand opposed to the policy of Virginia is, because her policy is opposed to that which seems essential to the happiness of the people of the United States, perhaps, the solvency of the government. Her leading men do not *feel* as the laboring classes do, and have not appreciated the changes that were going on. They adhere to the old policy—a policy fitted to Europe in arms, to be rejected with Europe at peace. I hope that no other will ever furnish a succession of presidents, because peculiar habits of thinking cannot be safely indulged; and what may be called the public mind of a state, may become unfitted to the welfare of the union. All that I wish is, that the *free laboring classes*, the stay of the nation in peace and its bulwark in war—the triumph and pride of civilization and glorious result of the Christian dispensation, may emerge from every species of oppression under which they have so long groaned, and arrive at that degree of influence in the affairs of government which their superior numbers and superior merits, too, have a right to demand, and, I trust, will demand and receive. The burthen of the state has hitherto rested mainly on their shoulders—they have borne much more than their share;

they cannot bear it longer if they would, and they must be relieved. They want an economical administration—equal taxation, equal laws. Give them scope, let them be cherished, and they will soon dispel every sort of embarrassment as to the finances.—Do we want a practical illustration of the benefits resulting from this change in disposition and policy? If so—look at France, and compare her present state with what it was before the revolution. The destruction of a few thousand of the privileged orders, opened the way for millions of productive persons. The most wretched of prejudices were entombed with the nobles; among them, the disrespect in which the farmer, mechanic, manufacturer and merchant had been held. Napoleon, the best practical political economist as to France (save on account of some of his wars) that ever lived, took those classes of people literally and metaphorically by the hand, and raised them up—profited by their talents, and made his country rich even in the midst of most mighty military movements and proceedings; and whilst all the neighboring nations were poor, miserable and exhausted of the comforts of life. And what is the result? France has been despoiled by the allied powers, or compelled to pay them, not less than the value of *six hundred millions of dollars* in 7 or 8 years—yet the taxes on her people are light and easily paid; they were lately reduced,—and still it is calculated that the whole of her national debt will be extinguished in 8 or 10 years, if she remains at peace so long: in the mean time, there is no country that we know of in which there is so little beggary and distress, as in France—the boasted United States of America not excepted, just now. And, as to taxation and the payment of our national debt, what are our prospects?—"as gloomy as the grave."

Who it is that may administer the government, as I have before observed, I do not care "the value of a straw." I am not opposed to the persons of the present administration—but it is surely evident that the policy which has been headlong pursued by the executive and congress, must be changed—if not willingly, of necessity; and the sooner that we settle down to the reality of our condition, and establish a system of revenue, properly guarded to prevent its proceeds from being wasted, the better will it be for us all. Poverty will accomplish these things—but she is a severe reformer; and, perhaps, even yet, we may considerably lessen the smart of her scourge, now shaken over our backs.

Thus, generous reader, if thou hast read thus far,* we have reached a point at which I propose for the present to stop—my candle is burnt down to the socket—thou art tired and so am I: good night. My vespers are that our beloved country may

* always be
"The land of the brave, and the home of the free."

Again, good night—perchance, my long essay will help thy repose, and put thee sweetly to sleep—if even so, my labor shall not be in vain. Farewell, "for the present."

CHRONICLE.

Milligan, as the principal, and Welshman, as aiding and abetting him, have been found guilty at New York, for robbing the Phoenix bank in that city. One of the papers remarks, at "length, then,

* Reader, if thou canst read,

"Look down upon this stone,

"Death is a man, do all we can,

"That never spareth none!!!" Old Epitaph.

we have an instance to prove that the laws can reach the case of a bank robbery." We shall be glad to hear that those of Maryland may even yet prove equally effectual.

A. Lithgow, the person charged with defaulting, alias appropriating the funds of one of the banks of Virginia to his own use, has been acquitted, by reason of some "error in the bill" as to the definition of a check. Still, however, he remains in jail to await a new trial.

New-England has now seven fine vessels engaged in the whale fishery—three years ago there was not any one that belonged to the port. The employment which this new pursuit affords appears to be duly appreciated.

The dam erecting across the Hudson, to supply the northern canal with water, has been carried away by a late freshet.

Naval. The U. S. brig *Enterprize*, lieut. Kearney, arrived at Charleston on the 11th inst. She captured four schooners and a piratical sloop, as before reported, and re-captured the ship *Lucies* and brigs *Larch* and *Aristides*, the last run ashore by the pirates; but it appears that none of the wretches were taken—being close in with the shore, they easily made their escape. One of the vessels was set fire to by themselves, the other burnt by order of lieut. Kearney, not being able to man her.

The U. S. schooner *Porpoise* was spoken by the *Enterprize* off Havana, on the 4th instant, which, we suppose, silences a rumor of a severe engagement by the former with a pirate off St. Thomas' on the 26th Oct. Lieut. Kearney heard nothing of it. We do not hear any more of the aid which was reported to have been rendered by a South American privateer, though there was one at hand. The pirates that have been deprived of their vessels, appear to have acted very much like savages in their various captures.

The U. S. schooner *Shark* has been heard of at Teneriffe, all well. Nothing material had happened as late as the 18th September. She had been in search of a piratical brig of 16 guns and 100 men.

War claims. The agent appointed by the state of South Carolina, to settle the claims which that state has upon the United States for military services and supplies made during the late war, has transmitted, as part of the same, \$114,000. A further sum of \$50,000 is expected.

Georgia. The great contest for governor is over—gen. Clark has been re-elected by the legislature, with a majority of two votes over his opponent, col. Troup. There hardly ever was a hotter contest, if we must form an opinion by what we have seen on the occasion, though our southern brethren are far short of the licentiousness that prevails in regard to such things, in some of the more northern states—almost, at times, to a disgrace of the discovery of the art of printing! The votes were for John Clark 74; George Troup, 72.

Coal. Many arks have arrived at Philadelphia with cargoes of Lehigh coal. The improvements of that stream are nearly completed, and boats will soon be able to pass and repass at any season of the year, unless uncommonly dry. This coal is much approved, and its price very moderate.

Terrible death. Three men that were in a boat, prepared to pass from Navy island to the Canada shore, with a variety of household goods, on account of the strong wind that prevailed, thought it unsafe to attempt to cross so near the great falls of Niagara—they fastened their boat and went to

sleep in it. During which the boat, by some means, became loosened, and they discovered themselves already in the rapids—no human power could aid them, and they were precipitated over the great falls! Some of the goods were picked up below, much broken; but a dining table floated ashore uninjured.

Shoal of whales. From the Boston Centinel. A correspondent in Barnstable county informs us, that, on Sunday night last, a shoal of fish, of the whale species, to the number of nearly 100, came, or were driven on shore, on Indian Neck and Beach hill Cove, in Welfleet, on Cape Cod, where they were left by the tide. They were discovered early on Monday morning by a lad who was gunning, and who marked 57 of the best of them for his father, and then gave information of the others. They measure from 10 to 25 feet in length, and the oil extracted from them is said to be but little inferior to sperm oil. The value of the whole shoal is estimated at \$2,500; and the father of the lad mentioned has been offered \$1,000 for the 57 marked by him. It is expected they will nett him \$1,500.—These fish are known by the name of the black whale fish, and formerly were common on our coast, but have not been seen for many years past. It is said to be peculiar to them, when they find themselves in shallow water, from fright or other causes, to run on shore and perish.

A SOLDIER'S MUSIC. A soldier asked his comrade, one evening, to go into a dram shop to hear a fiddle;—to which the other replied—"None of your futey music for me; give me the roaring of a 24 pounder, a clap of thunder, and now and then an earthquake." *Anon.*

INDIANS IN THE U. STATES. The following statement of the probable number of Indians within the territory of the United States, is published in the newspapers. We know not to whom we are indebted for the estimate, but we should suppose that the aggregate number given considerably exceeds the real amount of this people within the space designated; and they are continually on the decrease.

"The Winnebago tribe of Indians are 5,800 in number, and are the largest tribe in Michigan, and the North West territory. They reside on the Winnebago lake, and on Fox and Onisconsin rivers.

The Menomines, (or Follesavoines), are 3,900 in number, and reside on the west side of Green Bay, or Menomine river, but chiefly on Fox river and Winnebago lake; a few are scattered at Prairie du Chien, upper and lower Mississippi, and Millwaukey, on the western shore of lake Michigan. They hunt in winter, and make sugar and gather rice in summer. The following recapitulation will be interesting to many readers:

In New England	2,247
In New-York	4,840
In Ohio	2,407
In Michigan and N. W. territories	2,748
In Illinois and Indiana	15,522
In the southern states, east of the Mississippi, ...	60,102
West of the Mississippi and south of the Missouri	105,021
West of the Mississippi, and north of the Missouri	41,350

Total east of the Rocky Mountains, (round numbers) 260,000

Total west of the Rocky Mountains 140,000

Total Indians in the U. States, about 400,000

Constitution of New-York.

We publish entire, the constitution for this state, as lately agreed upon by the convention—but as prefatory thereto, the following summary notice of the principal alterations effected, may be acceptable. They are from the New-York papers.

1. The councils of appointment and revision are abolished. The governor is to nominate, and with the consent of the senate, appoint major-generals, brigade inspectors, and chiefs of the staff, except the adjutant and commissary-generals. The adjutant-general is to be appointed by the governor—Captains, subalterns and non commissioned officers, are to be chosen by the written votes of their respective companies: field officers by the commissioned officers; and brigadier-generals by the field officers. The secretary of state, comptroller, treasurer, attorney-general, surveyor-general and commissary-general, are to be chosen by the senate and assembly.

2. The right of suffrage is extended to all citizens twenty one years of age, residing in the state one year, and in the town or county where they vote, six months, and having paid a tax to the state and county, or performed militia duty, or been assessed and labored on the high-ways—and people of color who own freehold estates to the value of two hundred and fifty dollars, free of incumbrance, and pay a tax on it. The distinction between voters for governor, senate and assembly men, is abolished.

3. A circuit judiciary system is adopted, and the number of the judges of the superior court changed from five to three.

4. The number of assembly men is reduced from 140 or 150 to 128.

5. The senatorial districts are increased from 4 to 8.

6. The people choose their own sheriffs, coroners and clerks; and justices are to be nominated in the first place by the supervisors in each county, and the judges of the county courts respectively, and in case of disagreement, the governor is to select from the nominations the requisite number, who hold their offices for four years.

7. No member of the legislature can hold any office, while he retains his seat—and the pay of the members is never to exceed \$3 per diem.

8. Raising money by lotteries is abolished—and no bank for private purposes is to be granted, except with the assent of two thirds of both branches.

9. The *Canal fund* and *School fund* are to remain inviolate, and the *Salt Springs* to remain the unalienable property of the state.

10. The constitution may be amended, by a majority of one legislature, two thirds of a subsequent one, and ratification by the people; and the proposed constitution, if ratified, to be in force after the last day of December, 1822.

IN CONVENTION.

The report of the committee, consisting of Messrs. N. Sanford, Buel and Wheaton, to whom was referred the subject of incorporating and consolidating into an amended constitution, all the sections and provisions of the existing constitution of this state, which are not modified, altered or abolished by the proceedings of this convention, together with the alterations and amendments, approved or to be approved by the same.

WE, the people of the state of New-York, acknowledging with gratitude the grace and benefi-

cence of God, in permitting us to make a free choice of our form of government, do establish this constitution.

ARTICLE FIRST.

Sec. 1. The legislative power of this state shall be vested in a senate and an assembly.

Sec. 2. The senate shall consist of thirty-two members. The senators shall be chosen for four years, and shall be freholders. The assembly shall consist of one hundred and twenty-eight members, who shall be annually elected.

Sec. 3. A majority of each house, shall constitute a quorum to do business. Each house shall determine the rules of its own proceedings, and be the judge of the qualifications of its own members. Each house shall choose its own officers; and the senate shall choose a temporary president, when the lieutenant governor shall not attend as president, or shall act as governor.

Sec. 4. Each house shall keep a journal of its proceedings, and publish the same, except such parts as may require secrecy. The doors of each house shall be kept open, except when the public welfare shall require secrecy. Neither house shall, without the consent of the other, adjourn for more than two days.

Sec. 5. The state shall be divided into eight districts, to be called senate districts, each of which shall choose four senators.

The first district, shall consist of the counties of Suffolk, Queens, Kings, Richmond and New-York.

The second district, shall consist of the counties of Westchester, Putnam, Dutchess, Rockland, Orange, Ulster and Sullivan.

The third district, shall consist of the counties of Greene, Columbia, Albany, Rensselaer, Schoharie and Schenectady.

The fourth district, shall consist of the counties of Saratoga, Montgomery, Hamilton, Washington, Warren, Clinton, Essex, Franklin and St. Lawrence.

The fifth district, shall consist of the counties of Herkimer, Oneida, Madison, Oswego, Lewis and Jefferson.

The sixth district, shall consist of the counties of Delaware, Otsego, Chenango, Broome, Cortland, Tompkins and Tioga.

The seventh district, shall consist of the counties of Onondaga, Cayuga, Seneca and Ontario.

The eighth district, shall consist of the counties of Steuben, Livingston, Monroe, Genesee, Niagara, Erie, Allegany, Cattaraugus and Chautauque.

And as soon as the senate shall meet, after the first election to be held in pursuance of this article, they shall cause the senators to be divided by lot, into four classes, of eight in each class, so that every district shall have one senator of each class; the classes to be numbered, one, two, three and four. And the seats of the first class shall be vacated at the end of the first year; of the second class at the end of the second year; of the third class at the end of the third year; of the fourth class at the end of the fourth year; and so on continually, in order that one senator be annually elected in each senate district.

Sec. 6. An enumeration of the inhabitants of the state shall be taken, under the direction of the legislature, in the year one thousand eight hundred and twenty-five, and at the end of every ten years thereafter; and the said districts shall be so altered by the legislature, at the first session after the return of every enumeration, that each senate

district shall contain, as nearly as may be, an equal number of inhabitants, excluding aliens, paupers and persons of color not taxed; which districts shall remain unaltered until the return of another enumeration. But every district shall at all times consist of contiguous territory, and no county shall be divided in the formation of a senate district.

Sec. 7. The members of the assembly shall be chosen by counties, and shall be apportioned among the several counties of the state, as nearly as may be, according to the numbers of their respective inhabitants, excluding aliens, paupers and persons of color not taxed. An apportionment of members of assembly shall be made by the legislature, at its first session after the return of every enumeration; and when made, shall remain unaltered until another enumeration shall have been taken. But an apportionment of members of the assembly shall be made by the present legislature; and if not made by it, shall be made by the first legislature elected, under this constitution; and until the next apportionment shall be made, the assembly shall consist of one hundred and twenty-six members, apportioned among the several counties as they now are. Every county heretofore established, and separately organized, shall always be entitled to one member of the assembly, and no new county shall hereafter be erected, unless its population shall entitle it to a member.

Sec. 8. Any bill may originate in either house of the legislature; and all bills passed by one house may be amended by the other.

Sec. 9. The members of the legislature shall receive for their services, a compensation to be ascertained by law, and paid out of the public treasury; but no increase of the compensation shall take effect during the year in which it shall have been made. And no law shall be passed, increasing the wages of the legislature beyond the sum of three dollars per day, unless by a majority of all the members elected to both branches of the legislature; and unless its continuance shall be limited to two years after the passage thereof; and the yeas and nays shall be taken thereon, and entered on the journals.

Sec. 10. No member of the legislature shall receive any civil appointment from the governor and senate, or from the legislature, during the term for which he shall have been elected.

Sec. 11. No person being a member of congress, or holding any judicial or military office under the United States, shall hold a seat in the legislature. And if any person shall, while a member of the legislature, be elected to congress, or appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat.

Sec. 12. Every bill which shall have passed the senate and assembly, shall, before it become a law, be presented to the governor: if he approve, he shall sign it; but if not, he shall return it with his objections to that house in which it shall have originated: whoso shall enter the objections at large on their journal, and proceed to re-consider it. If, after such a re-consideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be re-considered; and if approved by two-thirds of the members present, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill, shall be entered on the journal of each house respectively. If any bill

shall not be returned by the governor within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the legislature shall, by their adjournment, prevent its return; in which case it shall not be a law.

Sec. 13. The political year shall begin on the first day of January; and the legislature shall every year assemble on the first Tuesday of January, unless a different day shall be appointed by law.

Sec. 14. The next election for governor, lieutenant-governor, senators and members of assembly, shall commence on the first Monday of November, one thousand eight hundred and twenty-two; and all subsequent elections shall be held at such time in the month of October or November as the legislature shall by law provide.

Sec. 15. The governor, lieutenant-governor, senators and members of assembly, first elected, under this constitution, shall enter on the duties of their respective offices on the first day of January, one thousand eight hundred and twenty-three; and the governor, lieutenant-governor, senators and members of assembly, now in office, shall continue to hold the same until the first day of January, one thousand eight hundred and twenty-three and no longer.

Sec. 16. All officers holding their offices during good behaviour, may be removed by joint resolution of the two houses of the legislature, if two-thirds of all the members elected to the assembly, and a majority of all the members elected to the senate, concur therein.

ARTICLE SECOND.

Sec. 1. Every male citizen of the age of twenty-one years, who shall have been an inhabitant of this state one year preceding any election, and for the last six months a resident of the town or county where he may offer his vote; and shall have, within the year next preceding the election, paid a tax to the state or county, assessed upon his real or personal property; or shall by law be exempted from taxation; or being armed and equipped according to law, shall have performed, within that year, military duty in the militia of this state; or who shall be exempted from performing militia duty in consequence of being a fireman in any city, town or village in this state: And also every male citizen of the age of twenty-one years, who shall have been, for three years next preceding such election, an inhabitant of this state, and for the last year a resident in the town or county where he may offer his vote; and shall have been, within the last year, assessed to labor upon the public high-ways, and shall have performed the labor, or paid an equivalent thereof, according to law, shall be entitled to vote in the town or ward where he actually resides, and not elsewhere, for all officers that now are, or hereafter may be, elective by the people: But no man of color, unless he shall have been for three years a citizen of this state, and for one year next preceding any election, shall be seized and possessed of a freehold estate of the value of two hundred and fifty dollars, over and above all debts and incumbrances charged thereon; and shall have been actually rated, and paid a tax thereon, shall be entitled to vote at any such election. And no person of color shall be subject to direct taxation, unless he shall be seized and possessed of such real estate as aforesaid.

Sec. 2. Laws may be passed, excluding from the right of suffrage, persons who have been, or may be, convicted of infamous crimes.

Sec. 3. Laws shall be made for ascertaining by proper proofs, the citizens who shall be entitled to the right of suffrage, hereby established.

Sec. 4. All elections by the citizens shall be by ballot, except for such town officers may by law be directed to be otherwise chosen.

ARTICLE THIRD.

Sec. 1. The executive power shall be vested in a governor. He shall hold his office for two years; and a lieutenant governor shall be chosen at the same time, and for the same term.

Sec. 2. No person, except a native citizen of the United States, shall be eligible to the office of governor, nor shall any person be eligible to that office, who shall not be a freeholder, and shall not have attained the age of thirty years, and have been five years a resident within this state, unless he shall have been absent during that time, on public business of the United States, or of this state.

Sec. 3. The governor and lieutenant governor shall be elected at the times and places of choosing members of the legislature. The persons respectively having the highest number of votes for governor and lieutenant governor, shall be elected; but in case two or more shall have an equal and the highest number of votes for governor or for lieutenant governor, the two houses of the legislature shall, by joint ballot, choose one of the said persons, so having the highest number of votes, for governor or lieutenant governor.

Sec. 4. The governor shall be general and commander in chief of all the militia, and admiral of the navy of the state. He shall have power to convene the legislature, or the senate only, on extraordinary occasions. He shall communicate by message to the legislature at every session the condition of the state; and recommend such matters to them as he shall judge expedient. He shall transact all necessary business with the officers of government, civil and military. He shall expedite all such measures as may be resolved upon by the legislature, and shall take care that the laws are faithfully executed. He shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the term for which he shall have been elected.

Sec. 5. The governor shall have power to grant reprieves and pardons after conviction, for all offences except treason and cases of impeachment. Upon convictions for treasons, he shall have power to suspend the execution of the sentence until the case shall be reported to the legislature at its next meeting: when the legislature shall either pardon, or direct the execution of the criminal, or grant a farther reprieve.

Sec. 6. In case of the impeachment of the governor, or his removal from office, death, resignation, or absence from the state, the powers and duties of the office shall devolve upon the lieutenant governor until the next biennial election, or until the governor absent or impeached shall return or be acquitted. But when the governor shall, with the consent of the legislature, be out of the state in time of war, at the head of a military force thereof, he shall still continue commander in chief of all the military force of the state.

Sec. 7. The lieutenant governor shall be president of the senate, but shall have only a casting vote therein. If, during a vacancy of the office of governor, the lieutenant governor shall be impeached, displaced, resign, die, or be absent from the state, the president of the senate shall act as governor until the vacancy shall be filled, or the disability shall cease.

ARTICLE FOURTH.

Sec. 1. Militia officers shall be chosen, or appointed, as follows: captains, subalterns, and non-commissioned officers, shall be chosen by the written votes of the members of their respective companies. Field officers of regiments and separate battalions, by the written votes of the commissioned officers of the respective regiments and separate battalions. Brigadier generals by the field officers of their respective brigades. Major generals, brigadier generals, and commanding officers of regiments or separate battalions, shall appoint the staff officers of their respective divisions, brigades, regiments, or separate battalions.

Sec. 2. The governor shall nominate, and with the consent of the senate appoint, all major generals, brigade inspectors, and chiefs of the staff departments, except the adjutant general and commissary general. The commissary general shall be appointed by the governor.

Sec. 3. The legislature shall, by law, direct the time and manner of electing militia officers, and of certifying the elections to their governor. If the electors of captains, subalterns, or field officers of brigades, regiments, or separate battalions, shall neglect or refuse to make such election, after being notified according to law, the governor shall fill the offices; and the persons appointed by him shall hold their offices until an election shall be made.

Sec. 4. The commissioned officers of the militia shall be commissioned by the governor; and no commissioned officer shall be removed from office unless by the senate, on the recommendation of the governor, stating the grounds on which such removal is recommended, or by the decision of a court martial pursuant to law. The present officers of the militia shall hold their commissions subject to removal as before provided.

Sec. 5. In case the mode of election and appointment of militia officers hereby directed, shall not be found conducive to the improvement of the militia, the legislature may abolish the same, and provide by law for their appointment and removal, if two thirds of the members present in each house shall concur therein.

Sec. 6. The secretary of state, comptroller, treasurer, attorney general, surveyor general, and commissary general, shall be appointed as follows:—The senate and assembly shall each openly nominate one person for the said offices respectively; after which, they shall meet together, and if they shall agree in their nominations, the persons so nominated shall be appointed to the office for which he shall be nominated. If they shall disagree, the appointment shall be made by the joint ballot of the senators and members of assembly. The treasurer shall be chosen annually. The secretary of state, comptroller, attorney general, surveyor general, and commissary general, shall hold their offices for three years, unless sooner removed by concurrent resolution of the senate and assembly.

Sec. 7. The governor shall nominate, by message in writing, and with the consent of the senate, shall appoint all judicial officers, except justices of the peace, who shall be appointed in manner following; that is to say: The boards of supervisors in every county in this state, shall, at such times as the legislature may direct, meet together; and they, or a majority of them so assembled, shall nominate a list of persons, equal in number to the justices of the peace, to be appointed in the several towns in the respective counties. And the judges of the respective county courts of such counties, or a ma-

majority of them, shall meet and also nominate a list of the like number of persons; and it shall be the duty of the said boards of supervisors, and judges of county courts, to compare such lists, at such time and place as the legislature may direct; and if, on such comparison, the said boards of supervisors and judges of county courts, shall agree in their nominations, in all, or in part, they shall file a certificate of the nominations in which they shall agree, in the office of the clerk of the county; and the persons or persons nominated on both lists, shall be justices of the peace; and in case of disagreement in whole, or in part, it shall be the farther duty of the said boards of supervisors and judges respectively, to transmit their said lists so far as they disagree in the same, to the governor, who shall select from the said lists, and appoint so many justices of the peace, as shall be requisite to fill the vacancies. Every person appointed a justice of the peace, shall hold his office for four years, unless removed by the county court for causes particularly assigned by the judges of the said court. And no justice of the peace shall be removed, until he shall have notice of the charges made against him, and an opportunity of being heard in his defence.

Sec. 8. Sheriffs, and clerks of counties, including the register and clerk of the city and county of New-York, shall be chosen by the electors of the respective counties, once in three years, and as often as vacancies shall happen. Sheriffs shall hold no other office, and be ineligible for the next three years after the termination of their offices. They may be required by law, to renew their security from time to time; and in default of giving such new security, their offices shall be deemed vacant. But the county shall never be made responsible for the acts of the sheriff. And the governor may remove any such sheriff, clerk or register, at any time within the three years, for which he shall be elected, giving to such sheriff, clerk, or register, a copy of the charge against him, and an opportunity of being heard in his defence, before any removal shall be made.

Sec. 9. The clerks of courts, except those clerks whose appointment is provided for in the preceding section, shall be appointed by the courts of which they respectively are clerks; and district attorneys, by the county courts. Clerks of courts, and districts attorneys, shall hold their offices for three years, unless sooner removed by the courts appointing them.

Sec. 10. The mayors of all the cities in this state, shall be appointed annually, by the common councils of the respective cities.

Sec. 11. So many coroners as the legislature may direct, not exceeding four for each county, shall be elected in the same manner as sheriffs are directed to be elected, and shall hold their offices for the same term, and be removable in like manner.

Sec. 12. The governor shall nominate, and with the consent of the senate, appoint masters and examiners in chancery; who shall hold their offices for three years, unless sooner removed, by the senate, on the recommendation of the governor.—The registers and assistant registers, shall be appointed by the chancellor, and hold their offices during his pleasure.

Sec. 13. The clerk of the court of oyer and terminer, and general sessions of the peace in and for the city and county of New-York, shall be appointed by the court of general sessions of the peace in

said city, and hold his office during the pleasure of the said court: and such clerks and other officers of courts, whose appointments is not herein provided for, shall be appointed by the several courts, or by the governor, with the consent of the senate, as may be directed by law.

Sec. 14. The special justices, and the assistant justices, and their clerks, in the city of New-York, shall be appointed by the corporation of the said city, and shall hold their offices for the same term that the justices of the peace, in the other counties of this state, hold their offices, and shall be removable in like manner.

Sec. 15. All officers heretofore elective by the people, shall continue to be elected; and all other officers, whose appointment is not provided for by this constitution, and all officers whose offices may be hereafter created by law, shall be elected by the people, or appointed, as may by law be directed.

Sec. 16. Where the duration of any office is not prescribed by this constitution, it may be declared by law; and if not so declared, such office shall be held during the pleasure of the authority making the appointment.

ARTICLE FIFTH.

Sec. 1. The court for the trial of impeachments and the correction of errors, shall consist of the president of the senate, the senators, the chancellor, and judges of the supreme court, or the major part of them; but when an impeachment shall be prosecuted against the chancellor, or any judge of the supreme court, the person so impeached shall be suspended from exercising his office until his acquittal; and when an appeal from a decree in chancery shall be heard, the chancellor shall inform the court of the reasons for his decree, but shall have no voice in the final sentence: and when a writ of error shall be brought on a judgment of the supreme court, the judges of that court shall assign the reasons for their judgment, but shall not have a voice for its affirmance or reversal.

Sec. 2. The assembly shall have the power of impeaching all officers of this state for misconduct in office: but a majority of all the members elected, shall concur in an impeachment. Before the trial of an impeachment the members of the court shall take an oath or affirmation, truly and impartially to try and determine the charge in question, according to evidence; and no person shall be convicted without the concurrence of two thirds of the members present. Judgment, in cases of impeachment, shall not extend farther than the removal from office, and disqualification to hold and enjoy, any office of honor, trust, or profit under this state: but the party convicted shall be liable to indictment and punishment according to law.

Sec. 3. The chancellor and judges of the supreme court, shall hold their offices during good behaviour, or until they shall attain the age of sixty years.

Sec. 4. The supreme court shall consist of a chief justice and two justices.

Sec. 5. The state shall be divided, by law, into a convenient number of districts, not less than four, nor exceeding eight, subject to alteration by the legislature, from time to time, as the public good may require; for each of which a district judge shall be appointed, in the same manner, and hold his office by the same tenure, as the justices of the supreme court; and who shall possess the powers of a justice of the supreme court at chambers, and in the trial of issues joined in the supreme court.

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For editorial and miscellaneous articles, see page 211.

and shall preside in courts of oyer and terminer and general gaol delivery. And such equity powers may be vested in the said district judges, and in the county courts, or in such other subordinate courts, as the legislature may by law direct, subject to the appellate jurisdiction of the chancellor.

Sec. 6. Judges of the county courts, and recorders of cities, shall hold their offices for five years, but may be removed by the senate, on the recommendation of the governor, for causes to be stated in such recommendation.

Sec. 7. The chancellor and judges of the supreme court, shall not hold any other office or public trust.

ARTICLE SIXTH.

Sec. 1. Members of the legislature, and all officers, executive and judicial, except such inferior officers as may by law be exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation. I do solemnly swear, (or affirm, as the case may be,) that I will support the constitution of the United States, and the constitution of the state of New-York; and that I will faithfully discharge the duties of the office of _____ according to the best of my ability.

And no other oath, declaration, or test, shall be required as a qualification for any office or public trust.

ARTICLE SEVENTH.

Sec. 1. No member of this state shall be disfranchised, or deprived of any of the rights or privileges secured to the citizens of this state by this constitution, unless by the law of the land, or the judgment of his peers.

Sec. 2. The trial by jury in all cases in which it has been heretofore used, shall remain inviolate forever; and no new court shall be instituted but such as shall proceed according to the course of the common law, except such courts of equity, as the legislature is herein authorised to establish.

Sec. 3. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this state to all mankind; but the liberty of conscience, hereby secured, shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this state.

Sec. 4. No minister of religion, or priest of any denomination whatever, shall hold any civil or military office or place in this state.

Sec. 5. The militia of this state, shall, at all times hereafter, be armed and disciplined, and in readiness for service: but all such inhabitants of this state, of any religious denomination whatever, as from scruples of conscience, may be averse to bearing arms, shall be excused therefrom, by paying to the state an equivalent in money; and the legislature shall provide by law for the collection of such equivalent, to be estimated according to the expense, in time and money, of an ordinary able bodied militia man.

Sec. 6. The privilege of the writ of *habeas corpus*, shall not be suspended, unless when in cases of rebellion or invasion, the public safety may require its suspension.

Sec. 7. No person shall be held to answer for a capital, or otherwise infamous crime, except in cases of impeachment, and in cases of the militia, when in actual service, and the land and naval forces in time of war, or which this state may keep, with the consent of congress in time of peace, and in cases of petit larceny, under the regulation of the legislature, unless on presentment, or indictment of a grand jury; and in every trial on impeachment or indictment, the party accused shall be allowed counsel as in civil actions. No person shall be subject, for the same offence, to be twice put in jeopardy of life or limb; nor shall he be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty or property, without due process of law. Nor shall private property be taken for public use, without just compensation.

Sec. 8. Every citizen may freely speak, write and publish his sentiments, on all subjects, being responsible for the abuse of that right, and no law shall be passed, to restrain, or abridge, the liberty of speech, or of the press. In all prosecutions or indictments for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury, that the matter charged as libellous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted, and the jury shall have the right to determine the law and the fact.

Sec. 9. The assent of two thirds of the members elected to each branch of the legislature, shall be requisite to every bill, appropriating the public monies or property, for local or private purposes, or creating, continuing, altering, or renewing any body politic or corporate.

Sec. 10. The proceeds of all lands belonging, or which may hereafter belong to this state, except such parts thereof as may be reserved or appropriated to public use, or ceded to the United States, which shall hereafter be sold or disposed of, together with the fund denominated the common school fund, shall be and remain a perpetual fund; the interest of which, shall be inviolably appropriated and applied to the support of common schools throughout this state. Rates of toll, not less than those agreed to, by the canal commissioners, and set forth in their report to the legislature of the twelfth of March, one thousand eight hundred and twenty-one, shall be imposed on, and collected from all parts of the navigable communications between the great western and northern lakes, and the Atlantic ocean, which now are, or hereafter shall be made and completed: And the said tolls, together with the duties on the manufacture of all salt as established by the act of the fifteenth of April, one thousand eight hundred and seventeen; and the duties on goods sold at auction, excepting therefrom, the sum of thirty-three thousand five hundred dollars, otherwise appropriated by the said act; and the amount of the revenue, established by the act of the legislature of the thirtieth of March, one thousand eight hundred and twenty

in lieu of the tax upon steam boat passengers; shall be, and remain inviolably appropriated, and applied to the completion of such navigable communications, and to the payment of the interest, and reimbursement of the capital, of the money already borrowed, or which hereafter shall be borrowed, to make and complete the same. And neither the rates of toll, on the said navigable communications, nor the duties on the manufacture of salt aforesaid, nor the duties on goods sold at auction, as established by the act of the fifteenth of April, one thousand eight hundred and seventeen; nor the amount of the revenue established by the act of March the thirtieth, one thousand eight hundred and twenty, in lieu of the tax upon steam-boat passengers, shall be reduced or diverted, at any time before the full and complete payment of the principal and interest of the money borrowed, or to be borrowed, as aforesaid. And the legislature shall never sell or dispose of the salt springs belonging to this state, nor the lands contiguous thereto, which may be necessary, or convenient, for their use; nor the said navigable communications, or any part or section thereof; but the same shall be, and remain the property of this state.

Sec. 11. No lottery shall hereafter be authorized in this state; and the legislature shall pass laws, to prevent the sale of all lottery tickets within this state, except in lotteries already provided for by law.

Sec. 12. No purchase or contract for the sale of lands in this state, made since the fourteenth day of October, one thousand seven hundred and seventy-five, or which may hereafter be made of or with the Indians in this state, shall be valid, unless made under the authority, and with the consent of the legislature.

Sec. 13. Such parts of the common law of England, and of the acts of the legislature of the colony of New-York, as together did form the law of the said colony, on the nineteenth day of April, one thousand seven hundred and seventy-five, and the resolutions of the congress of the said colony, and of the convention of the state of New-York, in force on the twentieth day of April, one thousand seven hundred and seventy-seven, which have not since expired, or been repealed or altered; and such acts of the legislature of this state as are now in force, shall be and continue the law of this state, subject to such alterations as the legislature shall make concerning the same. But all such parts of the common law, and such of the said acts or parts thereof, as are repugnant to this constitution, are hereby abrogated.

Sec. 14. All grants of land within this state, made by the king of Great Britain, or persons acting under his authority, after the fourteenth day of October, one thousand seven hundred and seventy-five, shall be null and void: but nothing contained in this constitution, shall affect any grants of land within this state, made by the authority of the said king or his predecessors, or shall annul any charters to bodies politic and corporate, by him or them made before that day; or shall affect any such grants or charters since made by this state, or by persons acting under its authority; or shall impair the obligation of any debts contracted by the state, or individuals, or bodies corporate, or any other rights of property, or any suits, actions, rights of action, or proceedings in courts of justice.

ARTICLE EIGHTH.

Sec. 1. Any amendment or amendments to this constitution, may be proposed in the senate or assembly: and if the same shall be agreed to by a

majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and referred to the legislature then next to be chosen; and shall be published, for three months previous to the time of making such choice; and if, in the legislature next chosen, as aforesaid, such proposed amendment or amendments shall be agreed to by two-thirds of all the members elected to each house, then it shall be the duty of the legislature to submit such proposed amendment or amendments to the people, in such manner and at such time as the legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the legislature, voting thereon, such amendment or amendments shall become part of the constitution.

ARTICLE NINTH.

Sec. 1. This constitution shall be in force after the last day of December, in the year one thousand eight hundred and twenty-two. But such parts of the same as respect the right of suffrage, and the elections to be held on the first Monday of November, in the year last mentioned, shall take effect on that day. And sheriffs, clerks of counties, and coroners, shall then be elected; but they shall not enter on the duties of their offices before the 1st day of January next following. All persons in office on last day of December in the year one thousand eight hundred and twenty-two, shall hold their offices until the same shall be filled in pursuance of this constitution.

Sec. 2. The existing laws relative to the manner of holding and conducting elections and making returns, shall be in force in respect to the elections to be held on the first Monday, of November one thousand eight hundred and twenty-two, so far as the same are applicable. And the present legislature may pass farther laws for the execution of the provisions of this constitution, in respect to the elections to be then held.

The following 98 gentlemen signed the new constitution, annexing thereto the names the counties that they represented—18 members were absent and 8 declined signing.

Ezekiel Bacon, Jirah Baker, Elisha Barlow, Barak Beckwith, V. Birdseye, John Bowman, Olney Briggs, David Brinkerhoff, David Buel jun. David Burroughs, Matt'w. Carpenter, Nathan Carver, Ameri Case, Salmon Child, Daniel Clark, Joseph Clyde, Ela Collins, John Cramer, J. Dubois, John Duer, Jacobus Dyckman, A. Eastwood, Ogden Edwards, Jas. Fairlie, Jason Fenton, Augustus F. Ferris, Joel Frost, John Hallock, jun. James L. Hogeboom, Parley E. Howe, Ransom Hunt, Isaac Huntington, James Hunter, H. Huntington, Timothy Hard, Rufus King, John Knowles, Sanders Lansing, John L. Lawrence, John Lefferts, Alexander Livingston, Peter R. Livingston, James M'Call, Peter Millikin, Usher H. Moore, Peter Jay Munro, Samuel Nelson, William Park, William Paulding, jun. Jarvis K. Pike, Nathaniel Pitcher, Augustus Porter, Charles Pumpelly, Jacob Radcliff, John Re ve, John Richards, Jeremy Rockwell, Edward Rogers, Erastus Root, Rob't S. Rose, John Z. Ross, James Rosebrugh, Samuel Russell, Ebenezer Sage, Nathan Sanford, Reuben Sanford, Abraham H. Schenck, Nath'l Seaman, Jonas Seely, Peter Sharpe, Alex'r. Sheldom, Joshua Smith, Richard Smith, Peter Stagg, Asa Starkweather, Hiram Steele, Jacob Sutherland, Philetus Swift, Nathan Taylor, Egbert Ten Eyck, Richard Townley, Wm. Townsend, Je-

hiel Tuttle, M. V. Buren, Joshua Van Fleet, Samuel G. Verbruyck, Jonathan Ward, Elizur Webster, P. H. Wendover, H. Wheaton, Melancton Wheeler, N. Williams, John W. Woods, B. Woodward, Sherman Wooster, Henry Yates, jun. Samuel Young.

The eight who declined to sign were Messrs. Jay, Jones, Rhinelander, Sanders, Sylvester, Van Horne, Van Ness, Van Vechten—8.

*State of New-York, secretary's office,
Albany, Nov. 19, 1821.*

MICAH BROOKS, Esq. one of the delegates to the late convention from Ontario county, did this day affix his signature to the engrossed amended constitution, of record in this office.

J. V. N. YATES, Secretary of state.

To the whole are attached certain resolutions prescribing that an election shall be held and continued for three days, commencing on the 3d Tuesday of January next, at which the voters qualified, pursuant to the act of March 13, 1821, for calling a convention, shall give their suffrages for or against the amended constitution, by ballots, on which shall be written or printed the word "yes" or the word "no." They prescribe also the manner of making the returns, and, if the majority shall appear in favor of said amended constitution, it shall be deemed ratified; if not, be considered as rejected. If approved of, a general election, for governors, senators and members of assembly, will take place in Nov. next—the political year to commence on the 1st of Jan. 1822.

The following facts are more than merely amusing. They give a tolerably accurate criterion, whereby to judge of the composition of the people of the state of New-York, and, with some allowances, of the whole people of the United States. The facts are taken from an article in the Albany Argus.

The convention of the state of New-York, which has recently adjourned, consisted of one hundred and twenty six members, all of whom, without exception, attended the second or third day of its session. Every member of that body, excepting one, was a native American citizen. Of the whole number, there were born in the state of New York, 66, in Connecticut, 32, in Massachusetts, 9, in New-Jersey, 8, in Rhode Island, 5, in Pennsylvania, 2, in Vermont, 1, in Maryland, 1, in Virginia, 1, in Maine, 1, in Europe, 1, viz. in Wales. Of that number 68 were farmers, 37, lawyers, 9 merchants, 7 mechanics, 5 physicians.

The paternal ancestors of 68 were inhabitants of England, 18 of Holland, 14 of Scotland, 9 of Ireland, 5 of Wales, 4 of Germany, 3 of France, 1 of Italy, 4 unknown.

Between the age of 21 and 30 years, there was 1; between 30 and 40, 23; between 40 and 50, 45; between 50 and 60, 45; between 60 and 70, 9; between 70 and 80, 3.

There were 43 members of that body who took part in the discussions.

"Clear the decks!" Anticipating a severe attack upon the pages of the *Register*, by the documents and papers that will be laid before the new congress, to assemble on Monday next, we have chiefly given up this sheet to miscellaneous matters, to make room for weightier things expected; to which we shall give the best reception that we can.

Flour. By an arrival at Boston, London papers of the 22nd Oct. have been received. The price of grain had fallen; the quantity offered for sale

was abundant, and there was no prospect that the ports would be opened even for the reception of bread stuffs from the British colonies. *So endeth this speculation.* At London, on the 15th Oct. wheat, according to quality, was quoted at from 45 to 60s. per quarter; average 50—17 shillings less than the amount at which it might be brought from Canada for home-consumption. On the 17th, the price declined; on the 18th there were large supplies and few demands, except for the very superior qualities.

Flour still maintains a price of \$6 per barrel at Baltimore—extensive sales are not made.

But what is even more provoking than the non-existence of a semi *famine* in England is, that "Alexander the deliverer" has not yet apparently resolved to deliver the Grand Turk of his possessions in Europe, and thereby, most probably, light up the torch of a general war in that quarter of the world, and keep the people so much engaged in killing one another, that we might come in to reap the advantage of their miseries—like the Fox which carried off the meat that the Lion and Bear had been fighting for! We have copies of a part of two notes which have passed between Russia and Turkey—they are long, yet not indicative of any probable result—and the English papers have many speculations on the question of peace or war; but, unless a coloring is given in the different accounts, to favor *stock jobbing* or some other *speculations*, the prospect is that peace will be preserved; with some sacrifices, however, as well of territory as of dignity, on the part of the Turks. It is intimated that they will have to give up Moldavia and Wallachia to Russia, a part of Croatia to Austria, and permit some sort of superintendence by Russia of the concerns of the Greeks. But there is not any thing of a positive character in these statements. The king of the Netherlands, in a speech to the states general of his kingdom, says, "Notwithstanding the events in the Levant, there are still well founded hopes that peace will be maintained."

PUBLIC ACCOUNTS. We have the report of a joint committee of the legislature of New Jersey on the treasurer's accounts—there is an ascertained *deficiency* of 16,372 dollars and 2 cents. The late treasurer had always maintained the character of an upright man—"he lived frugally and economically"—was not engaged in trade or speculation"—acknowledges the deficiency, but cannot tell how the money slipped through his hands, &c. The Trenton "True American" has the following remarks, which may be applied to other treasury accounts as well as those of New Jersey. "The account, it is probable, has been years in accumulating; but from the *complex manner* in which the accounts have been heretofore kept, and from the *slight inspection* which the joint committees have been in the habit of giving them, not even a suspicion," &c.

In several other states, the treasurers have turned out to be defaulters; no doubt, from the "complexity" of their accounts, and the "slight inspections" of those, whose duty it has been to examine them. When an account is stated with apparent fairness on paper, there is a sort of *indecency* in asking explanations, especially if the officer happens to be an influential man and gives good dinners and brilliant parties and besides, men do not like to appear ignorant of what, perchance, may be either simply explained or impenetrably disguised, and so they agree upon reports favorable to the officer without understanding his statements. There is no possible reason why the treas-

sure accounts of the United States, and of the several states, should not be as clearly represented as those of a correct merchant.

POST OFFICE CHANGE. The following proceedings, which originated in the senate of Kentucky, were approved of and passed by the house of representatives on the 26th of October, ult.

"Whereas, by the late regulations of the post office in this state, inconvenience is experienced by its citizens, many of them are denied the privilege of the post office, by requiring of them round specie in payment for postage, and as the proceeds arising from the postage of letters received in this state, are paid to the carriers of the mail, residents within the state, it is thought right and equitable to regulate the contracts for carrying the mail, that the same may be paid with the currency of the state, thereby to enable the citizens of this commonwealth to avail themselves of the privilege of conveying their letters by mail.

Resolved by the general assembly of Kentucky, that our senators in congress be instructed, and our representatives be requested to have the regulations made with the post office department, if practicable, that the currency of the country shall be received for the postage of letters in this commonwealth.

"*Resolved*, That the governor transmit copies of this resolution to our senators and representatives in congress.

On publishing those proceedings, the editor of the Richmond "Enquirer," with seeming triumph, asks, "what says Mr. Niles to the collection of a very heavy excise on whiskey?" I do not know wherein the right of this question to me lies, for surely, I am opposed to all or any more *indirect taxation*, unless as part of a system which shall bear upon property, as well as upon poverty; yet will take an early opportunity to answer Mr. Ritchie's question, with a confidence of an ability to shew him that this apparent scarcity of money in Kentucky, has little to do with the power of the people of that state to pay "a very heavy excise on whiskey;" for I cannot see why a rise in the price of that article should be more severe on Kentucky, than a rise in the price of flour; though the former is deprecated and the latter desired. I apprehend that the principle is the same. The price of a thing does not fix its value to the consumer—diamonds may be dear at one dollar per bushel and cheap at a million of dollars—and what is called the "plenty" or "scarcity" of money, depends on its *circulation*, not the quantity in a country. Money is now "scarce," yet millions on millions may be borrowed at *five per cent.* per annum; it was "plenty," and would then fetch *eight or ten*. But the subject is too important to be passed over slightly, and we propose to investigate it at length.

We join, however, with the editor of the "Enquirer," in sincerely regretting this act of the legislature of Kentucky. It looks too *small*—there is no hope that its object can be accomplished: congress will not *legislate* on the subject, for it is one of a most delicate nature; and the post-master general will hardly assume the high responsibility which the nature of the request imposes—and its effect, if granted, would banish the small quantity of specie that still maintains a circulation in Kentucky.

BANK NOTES. It is needful that we should now and then present to our readers the various prices of bank notes—at Baltimore; briefly as follows:

U. S. bank and branches at par.

All of the banks of *Maine, New-Hampshire, Massachusetts, Rhode Island, Connecticut and Vermont*, (except broken banks hitherto noticed) good, at from 1 to 2 per cent. dis. *New-York* city banks, and several country banks, at par; the rest at 1 or 1½, except the Jefferson county bank, Washington and Warren bank, Utica Insurance company's notes, and those of the private banks, generally bad, and should not be received. *New-Jersey*, all good, at par or a small discount. *Pennsylvania*—all the city banks, par; York, Montgomery, Easton, Harrisburg, New Hope, Reading, Swatara, Germantown, Delaware county, Chester co. Bucks do. Carlisle, Chambersburg, Lancaster, Columbia Bridge, Gettysburg, &c. ½ to 1½ dis.; Westmoreland and Brownsville 5; Pittsburg 2½; Centre, Northumberland and Union, &c. 15; Greensburg 10; many of the former banks have nearly settled up their concerns—at least, we seldom meet with their notes, and their prices are various and uncertain. *Delaware*, all good, except the branch of the Smyrna bank at Milford, at 5 dis. and the bank at Laurel, not in market, but was bad. *Maryland*, all good, at par or a small discount, except those of Caroline at 3 dis. and Susquehanna Bridge and Cumberland, scarce; Somerset, very bad. *Columbia*, all good, at par. *Virginia*, generally at 1 dis. North Western at 5. *North Carolina*, 2 to 2½ dis. *South Carolina*, ¾ to 1. *Georgia*, 1½ to 1½. *Kentucky* and *Tennessee*, no sales. *Ohio*, specie-paying banks at Steubenville, Chillicothe Marietta, New Lancaster, St. Clairsville, &c. from 5 to 6 dis.; of the rest no sales. *Indiana, Illinois, Missouri and Alabama*, no sales. *Louisiana*, 1 to 2 dis. *Mississippi*, 4 to 5.

POPULATION OF THE U. S. We now have more particular returns of the late census of South Carolina, as follows:

Whites	231,812
Free blacks	6,714
Slaves	251,783
	490,309
Kershaw, supposed to contain	12,000
	502,309

THE GREEKS. There is something exceedingly interesting in the present struggle of the Greeks to throw off the yoke of the barbarians. Incidents frequently occur that carry the mind back to the time when they resisted the innumerable hordes of Persia, and performed such prodigies of valor—presenting their bodies as a rampart to preserve the arts, improvements, civilization and progress of liberty in their day, and without which all would have sunk into the desolation or gloom of despotism. Who does not feel his heart warmed when "Ulysses, commander of the Macedonians," encamped on "Mount Olympus," calls his countrymen to arms—to freedom!—who does not wish that such as he may again drive the barbarians beyond the Hellespont; restore the isles to liberty, and demand security from the destroyer of all that is generous in principle and beneficial in practice, for the advancement of society? But the jealousy of the European states makes them look upon this struggle with the most perfect calmness—to preserve the balance of power, they give up glorious Greece to chains, and surrender the finest country under heaven to the dominion of those least capable of estimating its advantages. We can hardly hope for the success of the Greeks without some foreign aid, and rather fear that such aid will be rendered

against them, to the dishonor of the age, than in their favor, unless the *ambition* of the emperor of Russia should lead to a war with the Turks, that he may extend his dominions. But we shall be glad even of this. It is nearly impossible that the Russian empire should maintain its present power; it will naturally fall to pieces sooner or later, and then Greece might rear the standard of independence in hope of becoming a mighty nation.

OUR CHARACTER, as a nation, is far from being settled. Many of our printers use the term "his majesty," as applied by Englishmen to *their* king, in common with the most servile of his slaves. A particular friend of mine advertises capt. Parry's voyage for sale, as performed in "*his majesty's ship*" *Hecla*, &c. under orders of W. E. Parry "R. N. F. M. S." We might wonder what "majesty" my friend meant, if the people of the United States had attained a national character; but, being destitute of that, we know that the king of England is alluded to! Why should he be entitled to this pre-eminence any more than the king of *Tombucto*?

We notice also, in a popular school book, compiled by an American and for the use of our children, a table of abbreviations. They are told that "G. R." means George the king—and we have "Bart." "K. G." "K. B." "K. P." and twenty other English things—also "M. P." for member of parliament, but not even M. C. for member of congress. I have torn that leaf out of the books that were put by the teacher into the hands of my children, as well because its matter was absurd as imperfect. They may speak of *King George*, if necessary, but if ever they use the term *George the King*, in my hearing, I shall feel disposed to correct them for it. "Just as the twig is bent the tree's inclined."

THE PIRATES. The brig Larch, one of the vessels re-captured by the U. S. brig Enterprize, has arrived at St. Andrew's. After detailing the events that took place, the St. Andrew's Herald of the 13th ult. says—"We cannot conclude this short account of the transaction, without observing that the conduct of the officers and crew of the Enterprize, and the volunteers from the Larch and the Lucies, is entitled to the highest possible credit. It is true, no blood was shed, but the most fatal consequences might reasonably have been expected in an attack by five open boats, of such an imposing force, in shoal water, where the Enterprize could not have assisted the assailants; and we feel much pleasure in offering our humble tribute of admiration and gratitude for this essential service to commerce and mankind, though we honestly confess we would much rather have heard that it was rendered by some of our own numerous cruisers."

MAIL ROBBER. We have again to notice a robbery of the great mail, proceeding south. It took place between Marion C. H. and the Great Pee Dee, in South Carolina. The carrier is supposed to have committed the act. The repetition of such offences is truly alarming, and what the national legislature can do to prevent it, in all cases, we cannot apprehend. That which formerly best guarded it—a sense of moral rectitude, has greatly ceased to operate in favor of its safety, through the pressure of the times. The character of the people of the United States has depreciated much within the last five years—more than at any former period; and reasonable causes may be assigned why the fact is lamentably so. It will take us many years to get

back to the state of confidence and repose that we formerly enjoyed—when every one, by honest labor, could furnish himself with a competency of the good things of this life.

THE FOURTH CENSUS. We are pleased to learn that the census recently taken, will be laid before congress, soon after its meeting. It appears that no provision was made for *printing* the returns about manufactures—but this inadvertency will, no doubt, be corrected by a resolution for the purpose.

THE SUSQUEHANNAH. The committee from Baltimore recently met a committee at Lancaster, relative to the improvement of the navigation of this noble stream. The communications were very satisfactory to all parties. The Baltimore gentlemen descended the river to tide water, in an open boat, and, by personal observation, were re-assured of the practicability of the improvements contemplated. The prudent expenditure of a little money will open to us the use of this river and its tributaries, to an extent of *eighteen hundred miles*. The location of Baltimore is only second to that of New York for an extensive trade with the interior, and our citizens are not ignorant of the natural advantages which they possess.

CASE OF A JUROR. Mr. Samuel Martin, a respectable member of the society of Friends or Quakers, was lately drawn at Philadelphia, to serve as a juror in the case of a black man about to be tried for the murder of his father. Mr. Martin expressed his unwillingness to act in a case to which the laws affixed the penalty of death. He was told by the court that his excuse was not legal, and it was explained to him that the jury had only to examine the facts—it was the *law* that fixed the punishment, &c. Still he refused to be affirmed to try the cause, and the result was that he was ordered into the custody of the sheriff, to be imprisoned for the space of 24 hours, for a contempt of court.

CARPETTING. Messrs. John and Nicholas Haight, at New York, are manufacturing great quantities of carpetting, composed of a cotton warp and woolen weft, which is highly approved and for which they have a patent. It is spoken of as being remarkable for its beauty, firmness and durability, and they employ several hundred persons in their establishment; which has excited great jealousy in England: having superceded the foreign commodity, and kept within our country already several hundred thousand dollars. Good.

IRON. We learn, with great pleasure, that the manufacture of iron—(so indispensable to the purposes of peace or war, and in respect to which we ought to be entirely independent)—has exceedingly revived, and is rapidly increasing in the countries bordering on lake Champlain. In the counties of Essex and Clinton, on the west side of the lake, in the state of New-York, we understand that there are 23 or 24 forges already in active operation, each capable of producing from 40 to 80 tons of iron annually; there are also two or three rolling and slitting mills, extensive naileries, &c. and there is a plenty of furnaces adjacent to supply the whole. The works on the east side of the lake, in Vermont, are also numerous and flourishing; and the iron furnished from all of these is highly spoken of—some of it as being of the very best quality.

It is probable, that this great degree of activity has been brought about by the prospect of a ready market, by means of the northern canal; which, though not yet fully supplied with water on its summit level, is sometimes passable—and, we trust, will, next season, be rendered a permanent conveyance for the products of the interior.

NEWSPAPERS. The stealth of a newspaper, from a subscriber's door, has cost a person at Boston the sum of \$5 71. We wish that some of our subscribers, who complain of damages and delays of their *Registers*, by certain postmasters, would try if there is not some law to "correct the procedure."

Gov. JACKSON has arrived at Nashville, where he was received by his fellow citizens with the highest marks of respect.

It appears that one of the Spanish officers who lately signed a protest against the proceedings of Gov. Jackson, was actually serving as a guide to the British in their "demonstration" on New-Orleans in 1814—15, though a native of Louisiana.

CHARLES CARROLL, of Carrollton. It is noticed that this now venerable man, when he signed the declaration of independence, was the wealthiest person in the colonies or states—being estimated as worth two millions of dollars. What a fortune to hazard on so desperate a cast! But verily, he has his reward.

THE LATE MR. WEST. The first historical painting attempted by this artist, is now at Philadelphia, in possession of Mr. Joseph Henry, grandson of William Henry, esq. formerly of Lancaster, Pa. on whose suggestion and patronage the then juvenile artist made his first essay. The subject is the *Death of Socrates*.

A LOSS. The decease of *William C. Drew*, a senator of the state of Indiana, is mentioned. It is said of him, "that he walked above the syco-phantic throng." If so, we deplore his loss, for we cannot well spare persons of such a character.

ST. AUGUSTINE. This hitherto healthy place, frequently the resort of valetudinarians, has been exceedingly sickly in the last season—at our last dates, the force of the epidemic remained unchecked.—The acting governor, Mr. Worthington, had left it for one of the adjoining islands.

OLDENBURG. The president of the United States has issued a proclamation, dated 22d ult. declaring that so much of the several acts of congress, imposing a countervailing or tonnage duty, as relates to the dukedom of Oldenburg, is repealed, so far as the same respects the produce or manufactures of said dukedom.

MASTER AND SLAVE. It will be recollected that a certain negro named Read, left the service of Mr. Samuel G. Griffith, of Baltimore, some time ago, and took up his residence in Pennsylvania. Mr. G. hearing where he was, proceeded, with his overseer Peter Shipley, to the house occupied by Read, and, at about midnight, forced the entrance—the negro heard the "click of a pistol cocking," as he said, and fired his gun at the assailants—Mr. Griffiths was killed on the spot, and Read then fell upon Shipley and beat him so severely that he died a few days after. The master and overseer were fully armed, and had also a rope and a pair of hand-

cuffs with them. The negro was tried in May last for the murder of Griffith, and acquitted; but lately tried at West Chester, Pen. for that of Shipley, and found guilty of manslaughter, and sentenced to the penitentiary for nine years. These differing decisions have arisen from differing constructions of the law that bears on the case.

"THE TABLES TURNED." Under this head we notice a case that recently occurred at Detroit. There is a law in this territory that provides for the selling of idle and dissolute persons at public auction. At one of these sales, a negro bought a white man and ordered him to follow his master, and the order was obeyed. But the poor black took his servant to the steam boat, paid his passage and restored him to his freedom—satisfied with sending him out of the territory.

FRANCE. It is stated that the cotton manufactures of France, in the year 1817, were valued at \$38,320,000—and that the increasing demand for the raw material is from 15 to 20,000 bags annually. Foreign competition, as to its manufacture, is not allowed.

TURKEY. An article in the *Nouvelles Annales des Voyages*, by a modern Greek, estimates the population of European Turkey, including the islands of the Grecian Archipelago and Candia, at at least twelve millions, which he supposes to be divided as follows: Greeks or persons speaking the modern Greek tongue, whatever their origin 4,000,000; of Slavonian origin, nearly 3,000,000; Turks, 2,000,000; Albanians, 1,200,000; Wallachians, Moldavians and others of the same origin, 1,200,000, and the rest Jews, Armenians and Gipsies.—Near three-fourths of the Albanians, and a third of those of Slavonic origin are Mahometans; as also a few of the Wallachians, and perhaps a tenth of the Greeks; making with the Turks about a third of the population of this religion. Most of the others are of the Greek church.

THE GLADIATORS. Many tender-hearted people are quite shocked at the barbarities of the Romans, as exhibited in their fights of gladiators: but people of fashion, *nobles* and *priests*, attend boxing-matches in England, at which it frequently happens that a wretch is killed for their amusement. These matches are attended by thousands of decent looking persons, who bet large sums on raggamuffins, that fight and maul one another for trifling sums of money.

DATES. To establish a date (oftentimes important, and for which purpose only many things are inserted in this work), we mention the fact, that on the 6th ult. the Union, Mechanics, Commercial & Farmers, and Farmers & Merchants banks of Baltimore, began to receive the bills and notes of the banks of the District of Columbia generally, those of the Farmers bank of Maryland and its branches, and the notes of the Frederick county bank.

ARKANSAS. A neat and well conducted newspaper has been published in the village of Arkansas, in the territory of that name, for a considerable time, and is apparently pretty well supported; it is with much pleasure we notice, as indicative of the improvement of the territory, that another is proposed to be issued at "Davidsonville, Lawrence county" under the title of the "*Arkansas Herald*."

We have before stated, that two very respectable gazettes are published in Florida, one at Pensacola, the other at St. Augustine. The manner and matter with which they are filled shew us that these have already become *American* cities; and, through the medium of those papers, we may soon expect to obtain information of the interior of the peninsula, about which we were not much better informed than of the interior of New Holland. Every foot of the land will soon be explored by our enterprising countrymen, and its character and capacities ascertained.

STRANGE PROCEEDINGS. Three newspaper-offices were broken open at Boston, not long ago, in the night season, in search of money. Unless our brethren there are much better off than we are here, such a search would amount to very little in the day time! A printing office is about the last place in which a thief should expect to find money. The rogues, however, made some extensive depredations in Boston.

MR. GEORGE CLYMER, our ingenious friend and countryman, has been very successful in introducing his improved printing press, called the "Columbian," into use in England, France, Russia, &c. Eighty-two of them are at work in England alone. The demand was increasing upon him.

COAL. We mentioned in our last the arrival of many arks at Philadelphia, laden with Lehigh coal. When the navigation of that river and of the Schuylkill are fully improved, (and both are nearly completed), an abundance of this fuel, of the very best quality and at the cheapest rates, will be ready to supply the great and increasing population on the banks of the Delaware, &c. The stock is inexhaustible, and a bushel and an half of it is said to be equal to two bushels of the best Liverpool coal.

COTTON. The value of cotton in this country, calculated at fifty dollars a bale, amounts to twenty-five millions of dollars. But few persons comparatively in our country, have a correct idea of the immense value of this staple article.

SHEEP. One farmer in Chenango county, N. Y. is preparing his farm for the support of one thousand sheep—another intends to keep five hundred, &c. There are already many full-blooded merinoes upon them. We do not wish to see a recurrence of the "merino mania" that prevailed some years ago; but surely, the disregard in which these animals were held just after that mania ceased, was not less unreasonable than the mania itself.

STEAM! Internal navigation, by steam boats, (says the Savannah Republican) appears to be rapidly increasing, and the advantages resulting from this mode of intercourse are every day developed. A steam boat has commenced running from Mobile to Cahawba and Montgomery, performing a passage in four or five days, which ordinarily required in barges from twenty to thirty. The facilities afforded to trade, by such a certain and rapid conveyance, must certainly insure to the proprietors extensive patronage.

ADMONITION. The baptismal admonition of the Hindoos, is as impressive on the bye-standers as it is beautiful! "Little babe; thou enteredst the world weeping, while all around you smiled; con-

trive so to live, that you may depart in smiles, whilst all around you weep."

"THE INQUISITION." A play under this title is exhibited night after night at the theatre in Havana, in which the horrors of that bloody engine are severely exposed to the public indignation. What a change in the condition of things, has a short time brought about! That "ancient and venerable" institution, will not be "restored" to Spain or her colonies.

DUELLING. The manner of duelling in Japan is singular. When two men of honor quarrel in that country, the party who conceives himself injured, rips up his own entrails with a large knife, and presenting the instrument to his adversary, invites him to follow his example! No Japanese gentleman can decline such an invitation, for if he does not instantly plunge the knife into his own bowels, he is dishonored for life. If such a style of duelling were to be introduced into this country, "affairs of honor" would be less common.

CHOLERA MORBUS. India, generally, has been terribly scourged with this dreadful disease—hundreds of thousands of persons have fallen victims to it within the last two or three years. At Calcutta, lately, it is said that "prudent persons would not go to bed without having a bottle of laudanum and a bottle of brandy near their pillow; as this alone would check the disease; which, if not checked at once, carried off the patient in two hours!"

A SOUND CURRENCY. If an estimate of the imports and exports of Bourbon county, Kentucky, is to be relied upon, and all the rest of the state is following the example, that commonwealth will soon be relieved of all its difficulties without the aid of defaulting laws and non paying banks. The hogs, horses, mules, cattle, sheep, hemp, tobacco, whiskey, bacon, linseys, linens, &c. &c. exported from this country in the last year, are supposed to have produced \$230,675; during which goods to the value of 133,000 were received—balance in favor of the county \$97,675. We are glad to hear and to believe that Kentucky is reviving--the greatest drawback to her prosperity is to be apprehended from the new facilities afforded to borrow money.

FLOUR AND GRAIN. The following article is extracted from Colquhoun's Statistics of the British empire, and is inserted for reference: but we are somewhat surprized that so able a statist should have supposed that each person consumed the worth of *five pence sterling per day* "IS BREAD CORN," though it is evident that his voluminous work is devoted to the purpose of extolling the resources of Great Britain and lessening the degree of dependence that, in any respect or on any account, she owes to other countries.

"The greatest importation of corn, grain, flour, meal and rice into Great Britain, (says Mr. Colquhoun, page 22) which ever took place was in the year 1802—namely:

	Quarters.		Cwts.
Wheat	1,186,237	Wheat flour	833,016
Barley	113,966	Rye flour	177,494
Rye	99,874	Oat meal,	63
Maize	44,472	Maize flour	113,141
Oats	582,628	Rice	310,609
Peas	44,218		
Beans	16,246		
Total	2,087,641		1,434,323

Requiring no less on the average, of 250 tons, than 1670 ships 417,528 tons.

Meal and flour supposed to be laden in ships averaging also 250 tons, requiring 287 ships for 71,716 tons, making a total 1957 ships for 489,244 tons.

According to the accounts presented to parliament, the value of this immense importation, at the average market price at the time, amounted to 10,149,098*l.* sterling, of which it is presumed, that there was appropriated to the food of man

£7,611,824

And to the food of horses and other animals, comprising oats, beans, peas, }
damaged grain and offal, } 2,537,274

Total £10,149,698

Presuming therefore at the high prices of 1801, that each individual of the then resident population of 10,817,000 persons, consumed at the rate of 5*d.* a day in bread corn, the foreign supply for the food of man, would be equal to about 33 4-5 days consumption."

GREATER THAN CHRONONNOTONTHOLOGOS! A certain itinerant preacher at Boston, &c. has lately attracted astonishing "houses." The times and places at which he was expected to "appear" were announced with as much regularity and pomp as Mr. Kean's, during his first visit to that metropolis.—His name is Maffet, and country Ireland. He lately published a sketch of his own life, called "Tears of contrition"—which seems to be about the maddest arrangement of words that ever appeared, if we are to judge from the following extracts which are presented to us in the New-York papers:

He says—"From the romantic retreats of fair-famed Erin—borne on the fickle wind of adverse fortune—a lonely stranger brings his mite of sorrow, and lays the dew-starr'd treasure at Columbia's feet."

"Silent in some hermit's grot, and lull'd to rest on mossy carpets, far from the malice of un pitying foes, he might have spent his truant hours: but as he sped his trackless footsteps through the labyrinthian waters of fancy's rich, enchanted landscapes, a voice re-echoed from the vaulted palace of the sky, and in sounds seraphic dwelt and hung around his soul. Obedient to the heavenly call, he bade a long adieu to fair Hibernia's hills, and with his staff, like Bunyan's pilgrim, followed the guiding star, till it shot its sparkling gems and mingled with its mates around Columbia's banner."—p. 5.

"Hail Columbia! daughter of the sky!—First of nations—hail! Thy ready arms are ever open to receive the wretched. Pale, ghastly want, distorted, lies thy happy shores. Superstition, with her clotted mane and blood-shot eyes, haggard starts, and shrinking hies her from thy peaceful dwellings: and thy numerous stars conduct the weary wanderer to thy tranquil haven!—Thou aspires to the pinnacle of human glory, and with thy eagle, viewest the sun without a closing eye, and towerest aloft to rouse the slumbering inhabitants of the globe to know themselves, and follow in that path, which, when safely trod, will open on the plains of bliss immeasurable and full!"—p. 167.

PRESENTMENTS. The grand inquest of Alleghany county, Pennsylvania, have presented, as a grievance, the *great scarcity of specie* in their immediate neighborhood, as well as in the country generally, by which means real as well as personal property are diminishing in value, and labor and industry of every class in the community is reduced to such

an alarming degree, that the most enterprising and resolute hearts cannot, under such growing and severe pressure, feel easy and comfortable. This they attribute to the enormous and fearful balance of trade against our country, originating from the great influx of foreign goods manufactured in foreign countries and imported into this, thereby causing the gold and silver, which ought to be in circulation in the country, to be shipped abroad, therewith to purchase foreign fabrics. From a consideration of these and other circumstances, they have

Resolved, Unanimously, that the grand inquest of Alleghany county aforesaid, individually pledge their words and their sacred honor, that, for the time to come, they will neither purchase nor wear any woollen clothes, or any linen or cotton goods which shall have been manufactured by any foreign nation; and further, that the inquest aforesaid recommend to their fellow-citizens throughout the county of Alleghany, the adoption of similar resolutions.

DISCOVERIES IN EGYPT. A letter from Rome, dated August, 1821, says "A young Englishman, of the name of Waddington, who has lately arrived in this city, has penetrated upwards of 600 leagues above the second cataract in following the army of the Pacha of Egypt. In the whole of the way he fell in with only a few small Egyptian monuments, in isolated situations, and of no very remote state; but on his arrival at Schayni, where the Pacha encamped, he discovered thirty five pyramids from fifty to one hundred and twenty feet in height, but in a very ruinous state. He also saw seven or eight temples, of which one (upwards of three hundred feet in length) was covered with hieroglyphics. It is probable in the neighborhood of these ruins that search should be made for Nabatha, and not the Merce of the ancients. This traveller has copied some very curious Greek inscriptions. He assures us that he has seen nothing in his travels comparable to the monuments of Nubia, and that he considers that province as the cradle of the arts of Egypt.

A new expedition to Africa is about to leave England, for which considerable preparations have been made, under the superintendence of Mr. Beecher, who has resided many years in Egypt, and appears well fitted for the undertaking. The object of this expedition is to seek for the remains of antiquity in different parts of the ancient Lybia, once so populous and powerful, and possessing many large cities, but now chiefly a desert, with a special object of reaching that fertile spot, in the midst of a vast ocean of sand, on which stood the temple of Jupiter Hammon.

SHIRT TREES. In the 5th volume of Humboldt's Personal Narrative of Travels in Spanish America, he gives the following account of a species of bark used for shirts by the Indians on the upper Orinoko, in the vicinity of the mountain of Duida, a mass of granite rising to the height of 800 feet. At Esmeralda, is the most solitary and remote Christian settlement in those regions, being a missionary family, consisting of about 80 persons.

"We saw on the slope of the Cerra Duida, *shirt trees*, fifty feet high. The Indians cut off cylindrical pieces two feet in diameter, from which they peel the red and fibrous bark, without making any longitudinal incision. This bark affords them a sort of garment, which resembles sacks of a very coarse texture, and without a seam. The upper opening

serves for the head; and two lateral holes are cut to admit the arms. The natives wear these shirts of *marima* in the rainy season; they have the form of the *ponchos* and *ruanas* of cotton, which are so common in New Granada, at Quito, and in Peru. As in these climates the riches and beneficence of nature are regarded as the primary causes of the indolence of the inhabitants, the missionaries do not fail to say in showing the shirts of *marima*, "in the forests of the Oronoko, garments are found ready made on the trees." We may add to this tale of the shirts, the pointed caps, which the spathes of of certain palm-trees furnish, and which resemble coarse net work."

Interesting Letters.

A work has been lately published, (at Boston, we believe,) entitled the "*Republican*." We have not yet seen it, nor are we made acquainted with its contents, further than what we gather from the following letters, published in the "*Berkshire Star*."

Montezillo, March 8th, 1821.

Sir: I thank you for your favor of February 17th, and for the valuable volume called the *Republican*. Not long since I read a volume upon political economy, by Senator Tracy, translated from the French by Mr. Jefferson; and very lately I have read another volume of thoughts upon political economy, by Daniel Raymond, esq. counsellor at law, Baltimore, with still more delight and satisfaction. Your volume, entitled the *Republican*, I have also read with pleasure. Your subject is more comprehensive, but, as far as it comprehends political economy, it agrees in substance with the two former works. I am very glad to find three authors so well agreed in what I think the true system. In your researches for materials, and in the composition of your work, you must have found a profitable study and a delightful amusement. You have read a great deal, and of the best books. It has been a pleasant employment to me to revise the substance of the studies of my former days, collected together from many volumes in one body. It affords me much satisfaction to see such speculations cultivated, and such principles spreading, in this country.

I am, sir, with many thanks for the entertainment you have given me, your obliged friend and humble servant,

JOHN ADAMS.

William C. Jarvis.

Monticello, Sept. 20, 1821.

I thank you, sir, for the copy of your *Republican*, which you have been so kind as to send me; and I should have acknowledged it sooner, but that I am just returned home after a long absence. I have not yet had time to read it seriously, but, in looking over it cursorily, I see much in it to approve, and shall be glad if it shall lead our youth to the practice of thinking on such subjects, and for themselves. That it will have this tendency may be expected, and for that reason I feel an urgency to note what I deem an error in it, the more requiring notice as your opinion is strengthened by that of many others. You seem, in pages 84 and 148, to consider the judges as the ultimate arbiters of all constitutional questions; a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy. Our judges are as honest as other men, and not more so. They have, with others, the same passions for party, for power, and the privileges of their corps. Their maxim is, "*boni judicis est ampliare jurisdictionem*," and their power the more dangerous, as they are in office for life, and not responsible, as the other functionaries are, to the elective control. The constitution has erected no such single tribunal; knowing that, to whatever hands confided, with the corruptions of time and party, its members would become despots. It has more wisely made all the departments co-equal and co-sovereign within themselves. If the legislature fails to pass laws for a census, for paying the judges and other officers of government, for establishing a militia, for naturalization, as prescribed by the constitution; or if they fail to meet in congress, the judges cannot issue their mandates to them.

If the president fails to supply the place of a judge, to appoint other civil or military officers, to issue requisite commissions, the judges cannot force him. They can issue their mandamus or distringas to no executive or legislative officer to enforce the fulfilment of their official duties, any more than the president or legislature may issue orders to the judges or their officers. Betrayed by English example, and unaware, as it should seem, of the control of our constitution, in this particular, they have at times overstepped their limit, by undertaking to command executive officers in the discharge of their executive duties. But the constitution, in keeping the three departments distinct and independent, restrains the authority of the judges to judiciary organs, as it does the executive and legislative, to executive and legislative organs. The judges certainly have more frequent occasion to act on constitutional questions, because the laws meum and tuum, and of criminal action, forming the great mass of the system of law, constitute their particular department.

When the legislative or executive functionaries act unconstitutionally, they are responsible to the people in their elective capacity. The exemption of the judges from that is quite dangerous enough. I know no safe depository of the ultimate powers of the society, but the people themselves: and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is, not to take it from them, but to inform their discretion by education. This is the true corrective of the abuses of constitutional power. Pardon me, sir, for this difference of opinion. My personal interest in such questions is entirely extinct—but not my wishes for the longest possible continuance of our government on its pure principles. If the three powers maintain their mutual independence on each other, it may last long: but not so if either can assume the authorities of the other. I ask your candid reconsideration of this subject, and am sufficiently sure you will form a candid conclusion.

Accept the assurance of my great respect,

THOMAS JEFFERSON.

Important Decision.

FROM THE COMMERCIAL ADVERTISER.

By his honor judge Livingston, in relation to the method of settling damages on protested bills of exchange.

United States } Circuit court of the U. States
vs. } for the southern district of New
Jacob Barker. } York.

I am desired to say in what manner the damages on a dishonored bill of exchange, drawn on Great Britain, are to be settled.—Mr. Baldwin for the United States, supposes that the face of the bill is to be settled at the current rate of exchange at the time it came back, but that the 20l. sterling da-

mages are to be settled at par, without any regard to the then rate of exchange. Mr. Barker contends, that this twenty per cent. is to be added to the face of the bill, and that the whole sum is then to be brought into dollars at the rate of exchange current at the time of its return, in such way that the holder may receive money enough to purchase a new bill for 120*l*. sterling.

It is taken for granted by Mr. Baldwin that the supreme court of this state, in *Denston vs. Henderson and Cainus*, have adopted this mode of calculation. Were this so, I should very reluctantly depart from it; for, in a case involving no principle of law but a mere question of usage, which ought to furnish the rule, nothing could be more idle, than for two courts, sitting in the same state, although not bound by each other's decisions, to sanction different modes of adjusting the same transaction; and that too when the one mode will as probably promote the ends of justice as the other.

But has this point been definitely settled by the supreme court? Although the expressions used, seem at first susceptible of the understanding put on them by the plaintiff's counsel, they are not as entirely free from ambiguity, as we should have found them, if the question which arises here, had been distinctly presented in that case. The court say—"The jury gave the value of the bill at the rate of exchange at the time of notice to the indorsers, with twenty per cent. damages on the nominal amount of the bill, and this was right." Not a word is here said as to the manner in which this twenty per cent. (which both parties agree is to be charged on the face of the bill) is to be brought into currency, whether at par, or at the exchange which notice was given. If the jury in that case adopted the first mode, it does not appear that their doing so excited any particular attention on the part of the court, or of the counsel concerned. Among the other questions in that cause, which were of more importance, it is not improbable that this one was overlooked. In this uncertainty, I have thought proper to inform myself of the custom of our merchants on this subject, and to conform to it, especially when it is considered, as has already been suggested, that neither rule, apart from such custom, is much preferable to the other. Yet in favor of the one proposed by Mr. Barker, it may be said, that as the rate of exchange is to govern in a settlement on the face of the bill, no good reason can be offered why the damages, or incident should not be liquidated in the same way with the principal, and be subject to the like contingency.

Let either the par or the current rate of exchange be established as the rule applicable to damages, there will, so long as the bill itself is to be settled at the current rate of exchange, be some uncertainty when a bill is sold as to the sum which the drawer may have to pay in case of its returning under protest. It is manifest that the court of errors, in *Graves vs. Dash*, intended to reverse the decision of the supreme court, that the amount of the bill should be settled at par, and to adopt the mercantile usage, which had previously been to liquidate the whole at the current rate of exchange; and altho' in this case, no distinction appears to have been taken between the principal and the damages, yet, as they were guided by commercial usage in their decision, it is not probable that they would have adopted it as to the face of the bill and rejected it as to the damages, had the distinction been taken and both points clearly brought before that court for its decision. That the custom which prevails in this city is in conformity

with the mode insisted on by the defendant, is put beyond all doubt by a certificate of more than twenty of our first merchants, all of whom deal or have dealt in bills of exchange, and cannot but be thoroughly acquainted with the manner in which they are settled when not paid abroad.

It is true, some respectable merchants give an opinion in favor of a different mode of adjusting the damages, but they do not deny the existence of such custom, which it seems has undergone no change since the case on which the plaintiffs so much rely, which must have happened, if it had been intended by that decision which took place more than five years ago, to introduce a rule different from the one then in practice. Regarding, then, the language of the court as inexplicit when applied to the present difficulty, and being quite satisfied of the commercial usage in this city, my opinion is, that the mode suggested by the defendant be pursued in this case. Let twenty per cent. for damages be calculated on, and added to the sum for which the bill is drawn, the whole of which amount is then to be brought into dollars and cents, at the rate of exchange current at the time of his receiving notice of protest, which it is admitted was fifteen per cent. below par—or in other words, let the calculation be so made as to give the plaintiffs as much in dollars and cents as would at the time have purchased a new bill on Great Britain for 120*l*. sterling for every 100*l*. sterling of the original bill. As to the time and manner of calculating interest, it is understood there is no dispute.

Foreign Public Papers.

FROM THE CARACAS GAZETTE OF OCTOBER 25.
INDEPENDENCE OF PERU.

Bulletin from the government of Cundinamarca.

At seven in the evening of the 13th of September, his excellency the vice president received the following printed sheet from Guayaquil:

Sunday, 5th of August, 1821.

Official letter from the governor of Truxillo, marquis of Torre Tagle, to the superior government of this province.

By an extraordinary courier sent to me from the ministry of war and marine of the liberating army, I have received the Gazette of the government of Lima, which, among other things, contains the official letter of his excellency the general in chief to the magistracy of that capital, and the act agreed to in consequence of it, of which two documents, the following are literal copies:

Most excellent sir—Desiring as much as possible to promote the happiness of Peru, it is indispensable for me to consult the wishes of its inhabitants; for that purpose, I hope that your excellency will convoke a general junta of respectable citizens, who, representing the body of the inhabitants of this capital, may state whether public opinion be decided in favor of independence. That there may be no delay, your excellency will be pleased immediately to choose persons of well known probity, intelligence and patriotism, by whose opinion I shall be directed, in order to proceed to take the oath of independence, or to carry into execution what may be determined upon by the said junta, inasmuch as my intentions have no other object than that of promoting the prosperity of America.

God preserve your excellency many years.

JOSEF DE SAN MARTIN.

To the hon. the city council.

Lima, July 14, 1821.

Reply which the city council transmits to his excellency the general, the act of the cabildo.

By the act, a certified copy of which is herewith sent to your excellency, is manifested the decided wish of the inhabitants of this capital to proceed to take the oath of independence, which will serve as a direction to your excellency in regard to the ulterior proceedings mentioned in your official letter of yesterday.

God preserve your excellency many years.
The count DE SAN ISIDOR, and others.
Town Hall of Lima, July 15, 1821.

Act of the cabildo.

In the city of the kings of Peru, on the 15th of July, 1821, the members composing the city council being assembled together, with the most excellent and illustrious senior arch-bishop of this holy metropolitan church, superiors of the religious convents, titles of the Castile, and various inhabitants of this capital, for the purpose of complying with what is requested in the official letter of his excellency the general in chief of the liberating army of Peru, Don Josef de San Martin, of yesterday's date, which has been read, and in which it is desired that persons of well known probity, intelligence and patriotism, residing in this capital, may state whether public sentiment is decided in favor of independence, which opinion would serve as a direction to the said general, in respect to proceeding to take the oath of independence; all the persons present, for themselves, and satisfied of the sentiment of the inhabitants of this capital, declared—That the general will is decidedly in favor of the independence of Peru, of Spanish and every other foreign domination, and in order that it may be confirmed by the proper oath, let a suitable reply, together with a copy of this act, be transmitted to his excellency.

Signed by the

Count DE SAN ISIDOR,
BARTOLOME, Archbishop of Lima,
FRANCISCO DE SARATE,
SIMON DE RARAGO,
FRANCISCO VALLES.

[Here follows the signatures of all the corporations, titles of Castile, secular clergy, and regular, and the principal inhabitants.]

God preserve your excellency many years.
Truxillo, July 25, 1821.

The Marquis DE TORRE TAGLE.

Fundamental law of the union of the people of Colombia.

We, the representatives of the people of New Granada and Venezuela, united in general congress; having carefully deliberated on the fundamental law of the republic of Colombia, passed by the congress of Venezuela, in the city of St. Thomas, of Angostura, on the seventeenth day of the month of December, in the year of our Lord one thousand eight hundred and nineteen; and considering,

1. That the provinces of Venezuela and New Granada, united in one republic, have the power and means to establish themselves in the highest degree of freedom and prosperity.

2. That if constituted as separate republics, whatever might be the strength of their ties, they would, however, fall very far short of the means of improving all those advantages which are to be derived from their union; and could not succeed without the greater difficulty in consolidating an authority sufficient to cause their sovereignty to be respected.

3. That firmly convinced of the great advantages to be derived from their union in one state, and

that the judgments of all superior enlightened and patriotic men are united in the opinion, that the governments of both states will be best established in their union, against any vicissitudes which war might create.

4. Finally, that considerations of a reciprocity of interests so manifest, have been the motives which prompted the congress of Venezuela, in anticipating that resolution, which was in some measure proclaimed by the general suffrages of the people of both provinces.

In the name and under the protection of the Supreme Being, we have agreed to decree, and, by these presents, we do decree, and solemnly ratify, the fundamental law of the republic of Colombia, of which mention is made in the following terms:

1. The people of New Granada and Venezuela, remain united (or are united) in one body as a nation, under the express condition (or pact) that their government shall be new and forever popular and representative.

2. This new nation is to be known under the title and denomination of the republic of Colombia.

3. The Colombian nation is forever and irrevocably free and independent of the Spanish monarchy, as well as of all other power and foreign domination—and that it is not, and never shall be, the patrimony of any family or person.

4. The supreme national power will always (or forever) be distributed for its administration into responsible legislative, executive, and judiciary authorities.

5. The territory of the republic of Colombia is comprehended in the limits of the ancient captaincy general of the kingdom of New Granada; but the assignment of its precise boundary is reserved for a more convenient time.

6. For the greatest advantage of the administration of the republic, its territory shall be divided in six or more departments, having each a particular denomination, and a subaltern administration, dependant on the national government.

7. The present congress of the republic will frame the constitution of the republic according to the expressed basis, and according to the liberal principles that have been consecrated by the wise practice of other free nations.

8. We acknowledge and consolidate as a national debt of Colombia, the debts which both people have contracted separately, and remain reponsible for the payment of them all the property of the republic.

9. The congress, in the manner which shall appear to them most convenient, will appropriate to the payment of said debts, all the productive branches of the public revenue, and establish, likewise, a sinking fund, so soon as the liquidation shall have been made, for redeeming the capital and interest thereof.

10. When the state of the nation shall enable the republic to appropriate means adequate, a new city shall be founded as, the capital of the republic, which shall bear the name of the libertador Bolivar; the site thereof to be determined by congress, upon the principle that it shall be proportioned to the necessities of this vast territory, and the grandeur to which this country has been destined by nature.

11. So long as the congress shall not determine otherwise, the armorial ensign, at present in use in New Granada and Venezuela, shall continue.

12. The ratification of the establishment of the Colombian republic, and the acceptance of the con-

stitution, shall be published in all cities, towns, and villages, and in the armies of the republic, and celebrated by suitable festivities, and the solemnities will take place on the very day that the constitution shall be promulgated.

13. There will be a perpetual national festival of three days, in which the anniversary will be celebrated:

1. The emancipation and entire independence of the Colombian people.
2. Of the union of the republic—the establishment of the constitution.
3. A triumphal celebration of the great victories by which those blessings have been established.

14. The national festival will take place every year on the days of the 25th, 26th, 27th December. Each day will be consecrated to perpetual recollection in a special manner, to one of the three glorious motives, and they will celebrate the services rendered by enlightened men to their country.

The present fundamental law of the union of the people of Colombia will be solemnly promulgated in all the cities, and in the armies of the republic, recorded in the public registers, and deposited in the archives of every municipality and bodies secular and ecclesiastical, and for this purpose it will be placed in the charge of the supreme executive power by a deputation for that purpose.

Done at the palace of the general congress of Colombia, at the city of Rosario de Cucuta, 12th July, A. D. and of independence the eleventh year.

Signed

JOSEPH J. MARQUEZ,
President of congress.
ANTONIO M. BRICENO,
Vice president.

Felex Restrepo	Josep Joaquim Borrero
Jos. Corhelio Valencia	Vincente Azuero
Francisco de Orbeozo	Domingo B. Briceno
Lorenzo St. Ander	Josef Gabriel de Alcala
Andrew Rojas	Francisco Gomes
Gabriel Briceno	Miguel Pend
Joseph Prudencia Lauz	Fernando Penalver
Miguel de Tovar	Joseph Maria Henestrosa
Jos. Antonio Mendoza	Ramon Ignacio Mandez
Sinforoso Mutis	Joaquin Fernandes de Soto
Ildefonso Mendez	Piedro F. Carbajal
Vincente Borrero	Miguel Ibanez
Mariano Escobar	Diego F. Gomez
Diego B. Urbaneja	Josef Antonio Yanes
Francisco Conde	J. Antonio Paredes
Cervellon Urbina	Joaquin Plata
Jos. Ignacio Balbuena	Francisco Josef Otero
Josef Francisco Pereira	Salvador Camacho
Miguel Dominiguez	Nich. Ballen de Gusman
Manuel Banos	Josef Felix Blanco
Manuel Maria Quijano	Miguel de Zaraga
Cassimiro Calvo	Pedro Gual
Carlos Alvarez	Alejandro Osorio
Juan Bautista Esteves	Policarpo Uricoechia
Bernardino Tovar	Manuel Bonites
Luis Ignacio Mendoza	Juan Ronderos
Josef Manuel Restrepo	Pacifico Jaime

True copy from the original.

MIQUEL SANTA MARIA,
FRANCISCO SOTO,

Secretaries and deputies.

To be communicated to the vice presidents of departments.

CASTILLO, *Vice president of the republic.*

DIEGO B. URBANEJA, *Minister of the interior.*
Caracas, 15th August, 1821—year 11.

G. SOUBLETTE;

Representation of the members of a patriotic club in the city of Valladolid, and of other citizens, to the king of Spain.

SIRE—The undersigned citizens think that the time is arrived in which their sacred duty of looking not less to the safety of the state than to that of your majesty, authorizes them to speak a language which, far from being deficient in respect, is the sincere expression of the most ardent patriotism, and the warmest affection to the person of our majesty. Individual petitions against a particular abuse of power, ought not, in the present moment, to be the object of the declaration of free citizens to your majesty. Such declarations have rained like dew upon your palace, but they are either concealed from your view, or receive a sinister interpretation;—therefore they produce no other results than such as are contrary to expectation.

The unforeseen fall of general Riego may be considered as the exciting cause; but it is not, in truth, the principal, nor the sole cause of this exposition: his lot, whatever it may be, can never be indifferent to Spaniards who love their country; it is, if we may use the expression, identified with the constitutional system, and the whole nation has fixed its eyes on his prosperous or adverse fortunes. Publicity, sire, is the soul of representative governments; but although it were not so, neither justice nor policy would advise that the violent measures of government should be covered with the veil of mystery, which, although they affect one individual at first, may in time, compromise, as they really have compromised, the public tranquility. Let his crimes, therefore, be declared, if in truth he has been so misled as to make an attempt against his country; and let the sword of the law fall upon his head, exhibiting before the face of neighboring nations an act of justice, which will at once do honor to the Spanish name, and to the sacred code of our liberties. But if, as it is to be hoped, as it has happened, not for the first time, that he should turn out to be innocent, what inference are we to draw from his dismissal, which, although it is in the power of your majesty to order, ought not to be effected by mere dislike or caprice? The only inference is, that it has been the work of the same hand from which proceeded the unjust attempts committed daily by those who held the reins of government—that it has coincided with the peculiarly tendency and sinister end with which repeated appointments have been made and are making, to the first offices, in the persons of men the most unfit for such situations, and disaffected to the present order of things—that efforts are made to oppose the spirit of those liberal institutions by which we are governed, in order that under their shade past evils may be perpetuated.—On any other supposition, how can we explain the conduct of the council of state, which, since the persons employed in the administration of justice were suspended by the cortes, with the intention that, passing through the ordeal of examination, only such should be nominated as are truly worthy of occupying posts so important, has replaced them all indiscriminately, and without consideration of what repeated decrees had provided? This is, sire, if you will permit the expression, to give the national congress a slap in the face, and to place yourself in discordance with its deliberations in order to paralyze the majestic and tranquil progression which we have promised ourselves from a change of government without convulsion. Such may be said of that idea of a republican faction, which has been so often and

so vainly declared, and the assertion of which doubtless has no other object than to impose upon the unwary, to intimidate the weak, and to kindle the fire of discord, which burns and consumes us. All these, sire, are direct plots against the constitution—plots and machinations conceived perhaps in the wretched clubs of a foreign policy, and seconded by those who have acquired an ascendancy over the meek and docile heart of your majesty. Those persons have endeavored to tear up the constitution from the Spanish soil, but it is firmly rooted in the hearts of more than two millions of Spaniards, resolute and decided, and can only be rooted out from Spain along with them. Such measures, sire, conduct us directly to a revolution which has not yet begun—to a revolution horrible to name, the epitome of all the calamities of the human race.—Horrible and bloody would it be, since the liberties of 1821 are not like those of 1814; and what would be its consequences? We tremble when we contemplate them! Revolutions, like tempests, discharge their power preferably upon the most elevated points. What, then, would become of the sacred person of your majesty?—Who could answer for it then? It is sacred and inviolable, sire; but that inviolability is not like that of the Alps and Pyrenees. It can only be effective under the shade of law and order. In a revolution all things are overthrown. In the same revolution died the just Louis XVI. and the monster Robespierre. We must speak plainly, sire, perhaps this is the only time for doing it.—The person of your majesty is sacred and inviolable; but as long as that great charter, which secures you that prerogative, is established, as long as Spain contains one enemy of that charter, it behoves you to act as if your inviolability did not exist. By any other conduct your majesty will at every step be surprised and exposed to a precipice; and what is worse, perhaps, ignorance and malevolence will attribute to your majesty the plots of foreigners. Far, sire, from your petitioners be the idea that your majesty can be the least involved in these plots; but, sire, you are the image, and there will not be wanting ignorant men who will impute to you the faults of your priests, as thousands have imputed to our holy religion the vices of which they themselves were guilty. Preserve, therefore, your precious life. Preserve the vessel of the state, which is on the point of foundering. Be a king for once. Place yourself at the head of that great nation which loving your majesty with the greatest affection, deserves in return the peace and the happiness for which it sighs. By not enjoying those blessings at present, its members tremble and threaten a complete dissolution; by not having enjoyed them in the year 1814, you were made to appear a horrible monster of ingratitude: by not having enjoyed them for the last six years, you have been the object of attack among foreigners, and of compassion among the sound part of your own subjects—and finally, by not now enjoying them, you appear under constraint while performing an act of the greatest, the most spontaneous, and the most worthy of your magnanimous heart. Be a king, sire, we repeat, and while the greatest and the best of men desire not to play the least part in the history of kings.

“Condescend, sire, to accede to the wishes of your faithful subjects, who thus supplicate you, and who incessantly pray to the Almighty to preserve the life of your majesty through a long course of years for the good of the monarchy.

Valadolid, Sep. 12. 1821.

[Then follow a number of signatures.]

Foreign Articles.

GREAT BRITAIN AND IRELAND.

The king has arrived at Hanover, passing through triumphal arches, girls strewing flowers before him, and so forth.

Ireland is greatly disturbed, notwithstanding the king's visit! The insurgents go about in bodies of 2 or 3,000 to attack the houses of the gentry, &c. 2,000*l.* reward are offered for the apprehension of the murderers of the chief of the police in Limerick county.

The British revenue, especially that part derived from excise, is improving considerably.

The earl of Fingall was among those most distinguished by the royal favor, during the late visit of king George to Ireland. This is the same nobleman, we presume, that, in the year 1811, was hunted up and almost considered as a traitor, for presiding at a meeting of Catholics in Dublin, peaceably assembled, humbly to petition the British government that they might be placed on an equality with their protestant fellow subjects! See REGISTER, vol. I, page 279.

Counts Bertrand and Montholon have formally intimated in the London papers, that the memoirs of Napoleon, announced under their name, are not entitled to any credit. They also state that the several works under the titles of “Manuscripts come from St. Helena,” “Some Thoughts, &c.,” “Maxims, &c.,” “Sentences, &c.,” “Secret Memoirs,” “Napoleon painted by himself,” “Domestic Grievs,” “Verses,” &c. &c. which had been published as from the pen of the emperor, are all fabrications, as his manuscripts had not been communicated to any person whatever, and were still in their possession.

The subscriptions for Sir Robert Wilson, (notwithstanding his interdiction), amount to 4000*l.* Among the subscribers are the duke of Bedford, earl Fitzwilliam, earl Grey, Sir Francis Burdett, the earl of Thanet, lord Holland, lord King, and others.

The whole number of clerks that were employed in the bank of England, amounted to about one thousand; of these 125 have been discharged—but they are to have annuities or a sum of money in lieu thereof, at their option. When these are discharged, the annual saving to the bank will be about 20,000*l.* a year. The cause of this is a decline of business generally, and the labor saved that was hitherto expended on issuing small notes.

The gross produce of the stamp-duty on newspapers of the united kingdom of Great Britain and Ireland, for the year ending on the 5th of January last, was 440,228*l.* 2*s.* 4*d.* The number, therefore, of stamped sheets must have been 25,413,680—or a little more than half a million weekly. The produce of the duty on advertisements 140,189*l.* 10*s.* 6*d.*

By the returns of the new census, so far as they have been received, it appears that the population of Great Britain has increased at the rate of 15 per cent. since the last enumeration. So the present population will be about 14 millions—Ireland is supposed to contain about 6½ millions more.

It is said that 15,000 Hanoverians are to be employed in the garrisons of Malta, Corfu, &c. at the cost of Great Britain.

One hundred and six ships, containing 17,925 convicts, had proceeded to New South Wales, from Great Britain and Ireland, during the last ten years.

It is estimated that four gallons of spirits are annually consumed in the county of Edinburgh, for every person within the same.

The female pickpockets in London have become as numerous as the males; but the former rival the latter in the art to such a degree as almost to engross the whole business.

A man and his wife were lately hung together in England, under the most affecting circumstances, for passing a 5*l.* counterfeit bank note.

During the last seven years, 78,753 persons had been committed for trial for criminal offences in England and Wales, of whom 649 were executed. The commitments had more than doubled since the year 1814.

London, Oct. 7. A very calamitous event occurred about ten days since, in Joyce county, similar to the late movements of the bogs. Upwards of one hundred acres of the lands of Letterbricke, part of the property of the provost of Trinity College, prime pasture and mountain, on which a number of tenants resided, commenced moving, and, after carrying before it huge rocks, large heaps of earth, the entire crops, together with every obstacle which was likely to impede its progress, totally disappeared. Previous to its movement a great noise was for some time heard, resembling that of distant thunder, and the earth became convulsed. Thus, in the presence of an astonished and paralysed people, did this terrific moving mass continue in easy progress, until its arrival at the bank of the sea, into which it plunged with rapid motion, leaving the whole route which it took a complete and frightful waste, and a helpless, hopeless tenantry in a state of wretchedness, easier to be imagined than described. The only cause which can be assigned for this singular and awful revolution of the earth is this, that the great drought which we had some time ago, parched up the surface of slimy earth which covered these immense rocks, the mouldering of which caused such cavities as to force the mountain away, it then not having a sufficient bedding. Two days after the above singular and destructive occurrence, a large tract of land, thickly inhabited, the property of R. Martin, esq. M. P. and in the same neighborhood, was visited with a like phenomenon, but even of a more destructive nature, as the loss of the wretched sufferers in this case was not confined to their land crops, but their entire stock and property were also swallowed up in this dreadful and sudden earthquake.

FRANCE.

Rum jelly had become very fashionable at Paris, in anticipation of a visit from the king of England! The receipts of the different theatres, balls, gardens, &c. at Paris are estimated at 6,500,000 francs a year, of which about 600,000 go to the use of the poor. A London paper says—"The fashion of short sleeves has gone to such an extent in Paris, that the physicians in vain exclaim on the danger to the health of the elegant women who so expose their arms to the tip of the shoulder. The fashion has passed from the ball rooms to the theatres, and even to the promenades on the evening of September, when, if not actually cold, the air is at least fresh; but the cry of the physicians is disregarded."

About 250 liberales at Lyons, gave a dinner to Mr. Corcelles, on his being returned as deputy for that city. Toasts were given to *liberty, the constitution*, &c. Seditious cries were heard; the prefect interfered and dispersed the assembly without bloodshed—after this, he published a proclamation exhorting the people to avoid such excesses and to love the Bourbons.

French debt.—The following is the amount of the French debt, on Sept. 1, 1821, (annual interest) 263,900,284 fr.; it is composed as follows:—

Pensions and life annuities	74,868,345
Untransferable consols of various kinds.	24,038,965
Transferable stock, including the reconnaissances.	44,363,676
	120,627,293

Total 263,900,284

SPAIN.

It is stated that the Spanish minister has left St. Petersburg—no reason assigned.

The extraordinary cortes met on the 28th Sept. and there appeared to be a good understanding between them and the king.

Gen. *Aguero*, one of the chiefs who brought about the revolution in Spain, has been killed by a fall from his horse in a hunting excursion.

Liberal ideas prevail more and more in Spain. While some, filled with patriot heat, urge a conduct tending to the licentious, there are others, equally devoted to the cause of liberty, that nobly point out the errors of their brethren, and freely exhort them to support the constitution in its letter and spirit, shewing the importance of union and harmony. In page 220, we insert a paper to shew the freedom with which the king is spoken to—it has a revolutionary aspect. Many persons have lately been imprisoned at Madrid.

All Catalonia is in desolation from a terrible pestilence—40,000 persons have fled from Barcelona. Malaga and other places are also said to be infected. 600 persons died in 5 days at Tortosa. The amount of misery produced by this disease has rarely been exceeded—many perish of want and exposure, because the country people are afraid to receive or communicate with them.

Spanish Finance.—The Madrid papers state, that according to the accounts received by the junta of public credit up to the 31st of August, the sales of property in the provinces for the extinction of the national debt, amounted to 1092 from monasteries and other suppressed establishments. The estimated value is 74,569,109 reals, and there have been remitted 136,507,128 reals (or about 1,365,000*l.* sterling.) Thus the sales have produced about double their estimate.

PORTUGAL.

The cortes maintain their own rights and those secured to the people by the constitution; and often decide that the king, hitherto a perfect despot, cannot do this or that—instructing him what he should do.

ITALY.

It is stated that the king of Sardinia is re-establishing his "legitimacy" in Piedmont, by numerous arbitrary executions of respectable men, supposed to be tainted with liberal ideas—others are sent to the galleys. The London "Courier" states that "revolutions are merely restrained from bursting forth in Italy, especially in Piedmont." Every thing languishes therein.

RUSSIA AND TURKEY.

The Gazette de France (says a London paper) has the following intelligence from St. Petersburg, dated Sept. 15, and guarantees its authenticity:

"There is no question whatever of war; no step has been taken which can authorise the absurd reports circulated in Europe.

"The emperor quits St. Petersburg for *Witepsk*, on his accustomed visit to the regiments of the guard stationed there. He will return in ten days."

The prospect of peace is supported by many other rumors—it is even stated that the Russian and Turkish armies on the banks of the Pruth

have each retired within their respective territories; but there is nothing *positive* on the subject.

TURKEY.

We learn, generally, by the last arrival, that the Greeks continued successful; but it is said that the Turks, having been reinforced by ships from Egypt and Algiers, were now able to cope with their enemies at sea. We do not believe that such reinforcements have been received.

A letter from Constantinople, published in London, intimates that the British minister there has taken upon himself the direction of the Turkish divan, and that his influence is unbounded. If then the Greeks shall remain subject to the Turks—the British may have the chief credit of it!

A letter from Smyrna, dated Sept. 3, says “the bishop of Kitro, who pro tempore replaced the bishop of Salonichi, hung at Constantinople, the primate Ballanot, and Menexus, a merchant, have been decapitated—the day after these executions, twenty-five other victims were given up to the horrible punishment of the *pal*.”

The island of Cyprus, which had remained tranquil, is now prepared to share the fate of the other islands. The Turks murdered the primate and several other distinguished Greeks, and a revolution was progressing. The European consuls had sent their families to Italy.

Murders of Christians were still frequent in the streets of Constantinople.

A patriotic newspaper is published at Calamata, entitled “*The Greek Trumpet*.”

Preservation of Athens. There are few persons that will not feel grateful to lord Strangford, the British minister at Constantinople, for his zeal to preserve the monuments of antiquity at Athens, as manifested in the following article, dated in that capital.

Letter from his highness the grand vizier, to the governor general of the Morea, and to the commander of the Turkish troops before Athens:

“Lord viscount Strangford, the English ambassador to the Sublime Porte, having learnt, that the Ottoman troops (may victory always attend them) are on their march to deliver Athens from the rebels, who have taken possession of it, he has presented an official note, signed with his respectable name, in which he signifies, that it would be highly agreeable to his majesty, the king of Great Britain, if orders were given for the protection and preservation of the ancient edifices and temples, and other ornaments of antiquity which are in the city and environs of Athens, and which have always been so highly interesting to the learned of Europe.

“Now, as his Britannic majesty is full of friendship towards the Sublime Porte, and the cordial attachment and confidence between the two governments daily increase, and as the temples and other antiquities of Athens have always excited the admiration of Europe, it is becoming the dignity of the Sublime Porte to adopt measures for the preservation of those remarkable objects, and also for the purpose of doing what may be agreeable to the king of England, and to his ambassador, our good friend.

“We therefore call upon you, by your prudent zeal, and by the applications of your authority; to issue the necessary orders to all whom it concerns, that the ancient edifices in Athens, and the vicinity, may be preserved uninjured; that no damage be done to them, and that no complaint may be made to us by our friend the ambassador, or by others,

that our commands have not been punctually obeyed.”

EGYPT.

The pacha is pursuing his conquests in the interior of Africa—his army consists of 60,000 men. Sennaar, the capital of Abyssinia, has been taken possession of, after a severe battle, in which 300 Turks and 500 Nubians were slain.

IONIAN ISLANDS.

Sir Frederick Adam, [British] lord high commissioner of the Ionian islands, has issued a proclamation in which he declares that all boats and vessels under the British and Ionian flags, which shall be found acting against the arms of the Ottoman Porte, shall be liable to seizure, and treated as pirates; vessels belonging to Cephalonia and Zante are included in the orders for seizure, and the crews exposed, if they do not immediately return, to be punished for piracy. Another proclamation calls upon the Ionian subjects, as well as the chiefs and leaders of the Cephalonians and Zan-tiots, who shall take an active part in the war of the Peloponessus, in violation of the neutrality of the states, to return in fifteen days on pain of being considered as banished forever from the Ionian territory, and their property confiscated, and to be considered as outlaws.

CUBA.

The detection of another plot by the blacks of this island to massacre the whites, is spoken of. It was discovered just as it was on the point of breaking out, and forty-two of the ringleaders were arrested. We dread to look into futurity, as to the probable results of such things.

SOUTH AMERICA—GENERALLY.

The independence of Peru is apparently established—see page 218. Cumana has surrendered to the patriot general Bermudez, who behaved with the greatest generosity to the vanquished foe—so as to extort their public thanks. The inestimable Bolivar has been chosen president and general Santander vice president, of the congress of Colombia: a law has been passed respecting the *liberty of the press*, which states that it ought to be as free as the faculty of speech itself.

One account says that Callao fell into Cochrane's hands, not by a peaceable surrender, but after a severe attack—and that he became possessed of three frigates, two armed brigs, and three merchantmen, with a great booty.

MEXICO.

There is a strong report that the city of Mexico has been captured by the patriots, after much severe fighting, in which the royalists lost 5,000 men. It is added, that the Americans (citizens of the U. S.) are treated with the greatest respect, and that the people of Mexico are enthusiastically republican. Considerable quantities of specie are arriving at New-Orleans from Campeachy, &c.

CHRONICLE.

“Robberies are becoming frequent in our country. It was not so when every one willing to labor could find enough to do.

A lady in Philadelphia was recently delivered of three male children, all hale and hearty. The day after their birth they weighed together 18 lb. 10 oz. They are to be called Abraham, Isaac and Jacob.—We notice that in Alabama, one woman has had five living children in the space of twelve months; but they all died except one.

Died, in M'Intosh county, Geo. Mrs. Susan Ford, aged one hundred and seventeen years; in North-

umberland, Penn. Mrs. Ann Grant, aged one hundred and three.

Public monies. Two fellows have been convicted at Boston and sent to the state prison for one year, for attempting to receive monies of the United States on fraudulent pretences—one of them representing himself as a seaman late in the service and the other swearing that he was, so, &c.

Another ring. Mr. Edward J. Coale, of Baltimore, who acts as Russian vice consul for this port, has received, through the hands of Mr. Poletica, a superb ring from the emperor of Russia, as evidence of his faithful services.

Important discovery.—An inexhaustible quarry of water cement has been lately discovered in Easton, Washington county, about three miles from the Hudson river. Its quality is of a superior kind; and it is used, with complete success, in cementing the stone for the locks of the northern canal.

In this age of discoveries, we are told that a silver mine has been recently found in Wilton, in this county, about five miles from this village.

[Saratoga Sentinel.]

Naval. A schooner called the Moscow, under charge of midshipman Kennon, has arrived at Norfolk, having been captured by the U. S. sloop of war Hornet, capt. R. Henley, between Cuba and St. Domingo, as a pirate. The Moscow was fitted out at Margareta, and armed with one small cannon, musketry, &c. and, when taken, had a crew of 19 men, five of whom have arrived in the prize and been lodged in jail—the rest were detained on board the Hornet. The crew was made up of miserable beings of many nations, none, however, American or English; and they did not appear to have done much business, though from the articles found on board it was evident that they had not been idle. The Hornet was supposed to be a merchant vessel, and the pirate discovered his mistake too late to get clear of her.

Cincinnati, notwithstanding the many and severe shocks which this city has received, is still rapidly improving. About 80 new houses will be built during the present year, of which a number are of brick and three stories high.

The west. The editors of the New York Gazette have received a letter from a young officer of the army, dated Fort St. Anthony, October 10, 1821. This letter affords the following remarks:—

"The officers of this post having established a kind of reading room, I am requested to subscribe to your Gazette. Since my arrival here, I have been much engaged and interested with the natural beauties which surround us in this section of our country. We are 1000 miles from the nearest civilized settlement (St. Louis.) The permanent works at this place are almost finished, situated on a point of land where the Mississippi makes a bend in its course nearly equal to a right angle. The site of the fort commands these two branches of the Mississippi by the bend, and the St. Peter's river here empties into it. This important site was selected by lieutenant (late general) Pike in 1809; and is all important for the protection of the fur trade. We have here a number of beautiful lakes that contain the choicest fish, fowls of all kinds in abundance. Our soldiers can purchase of the Indians a pair of brant, ducks or geese for a gill of whiskey. The Indians at present appear to be well disposed towards their white brethren; yet, they have, at times, given cause of fear."

Vermont. The legislature of Vermont adjourned on the 17th ult. after a session of four weeks and three days. A bill has passed, extending justices' jurisdiction to \$100 and depriving parties of appeals when judgment is under \$10. In cases of notes and liquidated accounts, no appeal can be had unless the sum be over \$30. A law had also passed limiting the pay of the judges of the county courts to one hundred and twenty five dollars per annum, each, and making their compensation equal.

New York. During the season, 9000 mth have been employed on the canals. It is expected that the water will be let into the eastern section of the Erie canal at an early period next year, and much progress has been made on the western. The middle which is navigable, is much used already—from 40 to 50 boats, besides rafts, arrive weekly at Utica, laden with produce. The state will obtain an immense revenue from her canals when they are completed, and the advantages which will otherwise be derived from them are hardly to be calculated. Though the dam that was erecting across the Hudson (a mighty work), which was intended to furnish the northern canal with a full supply of water, has been carried away, great quantities of boards, planks, lumber, &c. have lately passed through it; and the Albany Gazette estimates that 30,000 dollars would not have paid the waggon hire of transporting this large mass of materials from Champlain to the Hudson.

Virginia. Literary Fund—The permanent capital is \$1,094,058 25, to which are to be added debts due \$59,090 52. Of this sum, \$31,023 21 remains unappropriated in the treasury.

The net revenue proceeding from various sources amounts to \$252,735, of which 75,650 05 remains unexpended in the treasury, leaving together with the balance of capital unappropriated, an unexpended amount of \$106,673 26.

Georgia. Col. Nicholas Ware has been elected a senator of the U. S. from Georgia, to supply the place of Mr. Walker resigned, without opposition.

The state of the treasury for the year ending the 4th Nov. 1821 is thus given—

Receipts in the year.	260,782 70½
Balance in treasury, 31st October, 1820,	115,618 87½

\$376,401 67 ½

Expenditures in the same time,	231,085 06 ½
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Balance in the treasury, 4th November 1821.	\$145,316 61
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Kentucky. Brief notices of the auditor's report on the state of the finances, for the year ending 10th Oct. 1821.

Amount of receipts during the year	\$182,652 21
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In the treasury, on the 10th October, 1820.	70,690 32
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253,342 53

Amount of payments during the year	179,531 75
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In the treasury October 10th, 1821	\$73,810 78
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Estimated expense of the present year \$131,190—do. receipts 132,747. The balance against the penitentiary last year was \$5,317 21; but there is an apparent balance in favor of the institution of 25,358 dollars, much of which was not expected to be realized. It is pronounced a "losing concern."

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The usual message of the president of the United States, on opening the session of congress, occupies several of our pages.

INLAND NAVIGATION. We present our readers with partial views of the proceedings in different sections of country, or sets of people, contending for the trade of the Susquehanna river; and can sincerely say, that we wish success to *both parties*—for if both succeed, there will be enough for both to do, and the public will be benefited by their rivalry. The free labor of the interior will be encouraged by the choice of a market, and the general wealth be, in consequence, increased.

TO THE QUESTION, "what says Mr. Niles to the collection of a very heavy excise on whiskey?" as put to me by the editor of the "Enquirer," I shall now attempt a reply—having denied the right of Mr. Ritchie to ask that question, as conditioned on any pledge or promise of mine to advocate such an excise, as is intimated by the manner of the query. But this has nothing to do with the merits of the case, and I answer frankly—that I will support a *moderate* excise on whiskey, provided it is levied as a part of a *system* of internal revenue; and that, if not so levied, I will oppose it to the utmost of my ability, in a constitutional way. I have no idea that the rich and powerful shall any longer escape a rightful share of the public burthens. And further, because the people of Kentucky, judging from the proceedings of their legislature, are hard pressed for good money enough even to pay their *postages*, I cannot see in that any conclusive reason why they should not be able to defray their proportion of an excise, duty or tax levied on whiskey.

A consideration of these things involves several of the most important principles of political economy; and, as I have not the happy knack of expressing my ideas on such subjects concisely, I pray the patience and attention of the reader to what I shall say. The mind easily draws for itself a representation of facts, which the hand must labor severely to place before the mind of another man with the same vividness and perspicuity, even if gifted with talent to accomplish the work; and, after all, there are matters about which the reader must *think* for himself.

There is one thing that I always desire may be understood—I never wittingly was, am not, nor ever shall be, (while I can sleep soundly upon my pillow as an honest man), the friend of *INDIRECT TAXATION* as the system by which revenue is to be raised; and I subscribe, in its fullest extent, to the opinion of *Joel Barlow*, that such a system is "built upon the great *aristocratical principle*, that men must be governed by *FAVOR*; and that it can be necessary only to that system of *management* which divides the nation into two parties—the *party that receives* and the *party that pays*;" and, I insist upon it, that any government which draws its revenue from the people without their knowing of it, is exactly of the same character that a female should bear (with those who *know* her baseness), that ornaments her person or indulges her appetite by the wages of her own prostitution, cunningly concealed from the knowledge of her husband, by adding falsehood

to crime. It cannot be said that, because money is taken from a man's pocket without his sensibility of the fact, he is not injured by it—nor can it be believed that a woman such as I have supposed, is fitted to perform the delicate and tender duties of a wife. There is a saying that "he who is robbed, not knowing what he has lost, is not robbed at all;" but that is the doctrine of knaves, if applied to either of the cases stated—because their result, though the cause is unknown, must inevitably deprive the persons deceived of certain comforts which otherwise they would enjoy. And again, I believe that *representation* and *taxation* as rightfully go together, as that a virtuous life is needful to a glorious hereafter; if I may be allowed to compare the essential qualities of a republican government with things of so much greater moment to myself and others, in our individual capacities. I boldly venture to say, that Mr. Ritchie is not prepared to contest the right of these opinions; but, if he should object to them, we may expect to have some interesting discussions—for, whether we agree or disagree with that gentleman, we must do him the justice to say, that we generally *understand* him when he speaks to a subject; a manner of doing things that I should like to see more fashionable. It is not always needful to tell the truth—but I *pity* those who, when induced to speak of a fact, are compelled to hammer their timid or dishonest brains to avoid the fact—a practice well apprehended and oftentimes duly punished in courts of justice, as it ought to be by the people, the supreme tribunal to determine right.

I am decisively the friend of internal revenue. It is an abomination—it is the most contemptible thing imaginable, that the people and government of this great republic, should have their private prosperity and public means dependent on a few days sun, or rain, in England, or suffer their welfare to be meted out by the whims of European kings, whether they will have peace or war with one another! Really, this is a condition so degrading that I cannot think of it with patience, and it mortifies me to the very soul to know that it exists. Yet I am not at all favorable to a rejection of impost duties, even for revenue, provided they are not relied on, if rendered subservient to the agricultural, manufacturing and commercial interests of the country—meaning by the latter the domestic as well as the foreign trade: but no people ever was justly dealt with by their government, when their *wants* rather than their *means* were mainly subjected to taxation. Every freeman is liable to be dragged from his home to defend *property*—nay, he would not be considered as a good citizen, if he refused his aid to protect the assumed rights of others to what they regard as *property*, though his own conscience tells him that such property cannot be rightfully maintained. How imperious, then, is the reason that property should be taxed, and especially so when it confers *legislative power*? The only tax that is really just, is upon the *means* of paying it, and property represents means; but the "expedient and necessary" not unfrequently justifies a tax on the *wants* of a people, to equalize the burthens imposed or supply the demands of a state; and a *system* bearing first on the means, then on

the enjoyments, and after that the wants of a community, is, perhaps, best calculated to promote the public good. But, in all cases, it is proper that the taxed should accurately know the amount of his taxes, and when he pays them; else he is robbed, and government takes the character of a common pick pocket. This is plain language—but it suits the genius of our institutions, which teaches us to call all things by their proper names.

Money must be had—that is certain.* Mr. Ritchie may not advocate taxation according to representation, though he will not dispute the rightfulness of the principle; and he rather laughs at the idea of collecting an excise on domestic commodities; let him then tell us what he would do? Let us have *his* system. Certainly, he will not support any thing as a system which an European king can affect—but will say, that the United States are, and ought to be, free, sovereign and independent; that the people thereof are able and willing to maintain a government for themselves: or, that they should give up the "experiment."

After this exposition of general views, I revert to the question—"what says Mr. Niles to the collection of a very heavy excise on whiskey?" The point of this query appears to be in the fact represented, that Kentucky cannot pay the amount of the *postages* demanded therein, in what passes for money out of her own limits—*ergo*, she cannot pay an excise on whiskey. I protest against the corollary, and think I can prove that it is not tenable; but here, again, we must notice certain preliminary facts.

1. Though wicked or silly men (like the members of the *Hartford* convention, for example), have knowingly or ignorantly erred on the subject, it is an indisputable truth that the *consumer* of an article pays the tax levied on its production, except in some few special cases not affecting a general rule. Thus, the tax levied on *paper* during the late war, was a tax upon me—not on my subscribers; for though the cost of the material appreciated, and the value of what was called a dollar depreciated, still the money-price of the REGISTER was not raised: but I never complained of this, though *my own* share of that solitary tax was several hundred dollars a year.

2. The "plenty" or "scarcity" of money, in the ordinary understanding of the terms, has less relation to the quantity on hand than the uses made of it: thus, in 1804, 5 and 6, when money was "plenty" it would readily bring 8 or 10 *per cent.* and now, when it is "scarce," it is not worth 5; and perhaps there are more hard dollars now in the United States than there was in the former period, but we have the less use for them. On these simple facts we might descant for hours—but my readers must help me out with thinking for themselves.

*The president's message has been received since the preceding was written, and it appears that, though internal taxes were contemplated a little while ago, they are not considered as indispensable just now; but they will be—it is certain that we must resort to them sooner or later: and my opinion is, that the longer they are avoided the worse it will be for the people of the United States. To raise the revenue by impost, we are not only drained of the cost of articles which we ought to make at home, but 12 *per cent.* is additionally thrown into the hands of foreigners, on account of the difference of exchange. It is as impossible that this state of things can continue, as to believe that water will cease to seek its own level.

3. The *value* of every article is determined by the ease with which it arrives in the possession of such as desire to have it. Diamonds may be dear at one dollar per bushel, if that dollar will purchase a certain quantity of subsistence; or cheap at a million of dollars per bushel, if that million will not procure a meal's victuals: and these cases, though they appear as abstract or extreme, *directly* apply to the condition of nations and states, for their principle prevails every where, and will endure until "time shall endure no longer." But I will exemplify it—silver is at present the medium by which we obtain teas, silks, &c. from China, and has what may be called a *determinate value* in trade with that empire, because we never receive it back again in exchange for commodities of our own; but suppose the Chinese should resolve to receive only *platina* in payment for their teas, &c. that metal would instantly rise to many times its present price as proportioned to that of silver (now deemed the most precious), by the demand thereby created—and the person that happened to have 10 lbs. of *platina*, of very little value just now, might purchase, perhaps, as much tea, as another possessed of 1000 lbs. of silver, highly esteemed as it is.

4. But to apply this matter of *value*, or money as the measure of it, to the common sense and feelings of the times: it may almost be said that *real property*, houses and lots (though a beneficial change is evidently taking place), has *no price* in Baltimore, for an instance—of course, it is a bad security for the prompt payment of debts, and the money-lenders will not take it; and it is to the men that have *businesses* which bring in money, and not to the property-holders, that money is now freely lent. It is the presumption of payment at the time stated, and not the security for payment, which is regarded. Thus, a person doing a regular business in Baltimore, to the amount of only 20,000 dollars a year, (without any means of meeting his engagements except that business, though ascertained to yield him not more than 10 *per cent.* profit *per annum*), can obtain more money at our banks than another person, *out of business*, holding real property which actually cost him, or may be supposed to be honestly worth, 60,000 dollars. It is *business*, then, that circulates money and establishes its value; not the wealth of those who want it. The notes of the bank of the commonwealth of Kentucky are better secured, as to final payment, than those of the bank of the United States; yet the latter are 30 or 40 *per cent.* better in the market than the former, because the paper of the one is for general business and the other of a local nature. If Kentucky, as a state, had *business*, like a merchant, according to her real means, the notes of the bank of the commonwealth would not be below the par of silver, but *above* the nominal value of that metal—as the paper of the bank of the United States now is in that state. Ninety-nine hundredths of our money-transactions rest upon the *present worth* of things, as objects desired or convertible into such objects.

With these preliminaries, I venture upon the assertion, that the imposition of an excise on whiskey would be more likely to render money "plentiful" in Kentucky than cause it to become "scarce"—the prompt circulation of the money-medium, be it what it may, depending upon the *business* done; in a certain assurance that specie, as the best representative of value, will always seek and find that spot opened to trade wherein it will produce the most of value in other commodities—as exemplified in our trade with China; dollars hav-

ing been sent there when they were nearly as much above the circulating medium, as the bills of the bank of the commonwealth of Kentucky are now below the par of dollars.

In the REGISTER of the 10th ult. page 164, I clearly and incontrovertibly shewed the reason why a high price for the bread-stuffs which we have to spare, operated on the general business of the nation, in raising the price of the whole quantity consumed (except that part used by the growers of grain.) A rise of 3\$ per barrel on flour, exported, or a *fifteenth* part of the whole product, being only seven and a half millions of dollars in itself, added the enormous amount of *thirty-six* millions to the wholesome circulating medium of the country. I do not believe that any one who has a reputation to lose, will venture an assertion, that the *principle* or *practical* operation of that essay is visionary or delusive. Common sense, the experience of every man, tells us, that it is not: it is based upon the unalterable rules of truth. Is flour the only thing that can produce such a result?—is Kentucky, as a state, differently situated to the union as to matters of business, than the union is to the world? Is the rule of right—cause and effect, limited by geographical boundaries; and if so, where are those boundaries? These questions are not offensively asked—they are designed only to provoke persons to think. Kentucky, as an *exporter* of whiskey, is of more importance to the union in regard to that article, than the United States can possibly assume in regard to the world, as an *exporter* of flour. There is no doubt about this. If then, a rise in the price of flour in Europe produces such advantages to the United States, why should not a rise in the price of whiskey be advantageous to Kentucky? Will not the latter, on the self-same principle, draw from other states a certain portion of objects desired in them, by the same rule that the United States might obtain such objects from Europe, in the contingency stated? I cannot suppose that there is any sophistry or mystification in this. It is to me so plain and simple, that I fear to insult the understanding of my readers by dwelling much longer upon it: but I will venture, though subjected to an unfavorable opinion of prolixity, to apply the undeniable principles laid down as to flour, in the case above referred to and in relation to the people of the U. States, to an excise laid upon whiskey on the people of the state of Kentucky.

To exhibit the special case I shall use round numbers—perhaps, bordering on probabilities in the absence of facts. But it is of no importance whether these numbers are nearly right or widely wrong, provided their *relation to one another* is maintained. It is the *PRACTICAL OPERATION* of the excise, not the amount of it in dollars and cents, that is meant to be demonstrated.

Let us suppose—

1. That 3,000,000 gallons of whiskey are annually distilled in Kentucky, of which the one half, or 1,500,000 gallons, are exported to other states.*
2. That the present price of the article is 25 cents per gallon, and the duty to be laid upon it shall be 10 cents per gal.
3. That the manufacturers of the article, like the *importers of foreign goods*, calculate a *per centum* on the amount of the duty as well as upon the cost of the article, and that the price of the com-

modity is thereby raised to the moderate sum of 37½ cents per gallon.

4. That the government will extend to the *domestic* manufacturers of whiskey, the same amount of protection which is afforded to *foreign* manufacturers of cloths, &c. in a credit for the duties, six, twelve or eighteen months; and thereby furnish the distillers of whiskey with a *CAPITAL* to carry on their business, like that which is now afforded to the importing merchants: and surely, the former, our own countrymen, are as much entitled to this favor, as foreigners, or those interested only in the sale of foreign commodities.

3,000,000 gals. of whiskey at 37½ cents \$1,125,000
The same at 25 cents 750,000

Difference

375,000

This amount of *something*—I care not what it is called, but it is a *wholesome circulating medium*, immediately brought to act upon the relations between man and man; and, as a credit with the government is always created in proportion as the payment of duties is made, it remains *permanent*, and answers every possible purpose of gold and silver—exactly as a rise in the price of flour acts upon the people of the grain growing states. There cannot, possibly, be any difference in the principle, except in favor of Kentucky in this respect: because she exports about *one half* the amount of her whiskey distilled, whereas the grain-growing states cannot spare more than a *one fifteenth* part of their bread stuffs. We all *understand* the effect of a rise in the price of flour—must not like causes produce like effects? And, in what possible case can Kentucky, as an *exporter* of whiskey to other states, be conditioned differently from the grain-growing states, as *exporters* of flour to Europe? A rise in the price of whiskey would enable Kentucky to receive from other states their specie, or the goods that they deal in, precisely as a rise in the price of flour would affect the rate of exchange on England, or enable our merchants to import more of her manufactures. Now this seems as plain to me as that the sun shines at noon day; and I venture to say that the *circulation* of the additional value, caused by the increased price of whiskey, would vivify the internal commerce of Kentucky, and raise the value of her paper money ten or fifteen per cent. in a few weeks. There is not any thing strange or marvellous in this, because we know it is *practice*, and not theory. It is the means to pay and not the amount paid, on which the facility or difficulty of payment rests.

But after all that may be said, subjects of political economy cannot be understood except by those who *think* upon them—and hence it is that they are so little attended to: and, indeed, the ease with which both the government and people of the U. States have been accustomed to get along, has not rendered much thinking necessary. However, artificial things have passed away and realities press upon us, and the government and people will be compelled to think. Again—on the amount of credit for duties granted to the distillers, they levy a *profit* of 25 per cent. This profit acts as an additional duty on the consumers of Kentucky whiskey *out of the state*, and really draws into the state an additional amount of profit on the commodity exported, at the rate of 2½ cents per gallon.

*An intelligent friend is of opinion that much more than an half of the whole quantity distilled is exported.

If Mr. Ritchie will do me the honor to consider these remarks, and yet believes that his question is not answered, I shall be thankful for his *reasons*, hoping that he will meet the case with them.

☞The *Enquirer* notices my late "Desultory Remarks." The editor says they may be called "a dissertation on things in general." They were meant to bear such a designation, and to convey what I deemed important things in a manner that might lead the people to a consideration of them; for the people are best pleased with "desultory" reading. It was my purpose so to write that my writing might be read, and the best evidence that I accomplished that purpose is found in their demand which has been made for that particular number of the "Register," many gentlemen having requested a second copy.* It appears too, that the able editor of the *Enquirer* has been, at least, induced to look over that very long article, though his time is so much occupied by the severe duties of his business—and this is a compliment of considerable value. He says; also, "there is much good sense in some parts of it," and does not appear disposed to object to any thing that I said, except that part which relates to Virginia; to whom, he thinks that I have given "a few *cross buttocks*, as the English gladiators call them." He contends that it is more the misfortune than the fault of Virginia (on account of her slaves), that she has not advanced in population, &c. like others of the states, and observes—

"It is on our public works, that Mr. N. seems most to be in fault. He asks where are our schools, canals, &c. He seems to be ignorant, that besides eloquent reports, we have solid funds appropriated to these purposes—that our literary fund owns a permanent capital of near \$1,200,000, besides several sources which annually flow into it; out of which 45,000 are annually appropriated to the education of poor children; 15,000 annually to a great university, besides 89,000 which has been vested in its erection. Is he ignorant that we have a fund for internal improvement, at least to 1,500,000, mostly vested in productive stock—out of which are annually appropriated large sums to canals, rivers, roads &c.? Let these funds be wisely used, and time will show the noblest fruits of this policy.—No Virginian, who understands these things, need blush at our want of wisdom or public spirit, and it will be his boast, that while with one hand he guards the constitution, with the other he is attempting to raise up some of the noblest monuments of public improvement."

I was not ignorant of the amount of the Literary Fund, or of that set apart for Internal Improvement in Virginia. The great resources of that state were pretty well known to me; but I regretted the non-application or misapplication of them; and still contend, that an *eloquent report* appears more desirable to the policy of Virginia than a *practical result*. I ask Mr. Ritchie, if this is not true? promising to alter my opinion, with gladness of heart, on a shew of the wrong. I have been so long accustomed to

*A letter from a member of congress says—"I have just finished a second reading of your 'desultory remarks' laughing heartily at the drawing-room scene. You handle our financiers in congress and the administration roughly—they will not thank you for doing so."

Upon my word!—I did not expect to receive the thanks of "our financiers in congress and the administration," though, with the greatest modesty, I think that they were well earned by my telling them the *truth*—a considerable rarity when *office-giving* men are to be spoken of; but if they will not thank me, the free productive persons of the United States, my patron, will do it!

regard the *whole* union, and to meddle so little with local matters, as to have no favorite among the states; and, as I shall answer for it, can conscientiously say, that I wish each and every one to be equally prosperous: but Virginia had my "first love," and I trust, that she has not been injured by telling her freely what seemed the truth. I repeat my question—"where are her common schools, turnpike roads, noble bridges, useful canals?" Where are the fruits of her mighty means to do good? Are they on paper or in fact? Let them be exhibited for the edification of the people of other states, that they, too, may run a race of glory in exalting the depressed—in conquering prejudices, in giving dignity to the character of man, in promoting the welfare of society. Shew us the good—let us see and feel the *result*, and then we may be enabled to judge how much has been sacrificed to theory, how much applied to practice. Virginia might rightfully aspire to the lead in whatever improves a country or benefits its free population; and why has she not that pre-eminence? I say, that it is from the errors of her legislation, the unhappy disposition of mind in her great men,—rather disposed "to settle abstract questions of right than accomplish positive benefits." I likened Maryland a Virginia: we appropriate 25,000 dollars per annum to the support of schools, and Virginia gives only 45,000. Where is the good that results to either? In Maryland, with less than 500,000 white persons, I verily believe that there are more *native citizens* who cannot read and write, than in all the Eastern states—more than in the great states of New-York and Pennsylvania, with eight times as many white inhabitants. Here is a sort of eloquence that speaks to the heart—the best of all comments on *practical legislation*. And, after some enquiry last winter at Annapolis and of several distinguished gentlemen since, I have arrived at the conclusion, that, for the want of a system to *do* good, at least three-fourths of our expenditures, *as if for schools*, never reaches the *object* on which the whole amount of money is intended to act. Is Virginia differently situated? nay, supplied as she is with the most splendid talents in almost every department of learning, how is it that so many thousands of her noble young men have so long proceeded to the north, to receive education, draining her, perhaps, of two or three hundred thousand dollars a year, to be expended in acquiring the higher branches of literature? But she is building a great university—that is, the edifices, of brick and stone, are erecting for the reception of such students; but I fear that the institution will appear better on paper than in practice, unless it is given up more than it probably will be to individual enterprise—without a great change in the policy of legislation: *to do, rather than to speak*. I desire as fervently as any Virginian could wish I should, that my anticipations may not be realized. I have no ambition to prophecy evil.

MORE CONFUSION. From the *Norfolk Herald*. We learn that a question has been submitted to the attorney-general of the United States, whether free persons of color are, in the state of Virginia, citizens of the United States within the intent and meaning of the acts of congress regulating the foreign and coasting trade, so as to qualify them for owning or commanding vessels? and that the attorney-general has given it as his opinion that free persons of color in Virginia cannot be considered as citizens of the United States, and that, therefore, such persons cannot, within the intent and meaning of the acts referred to, own or command vessels!

This is an important fact, from the operation of which we foresee much embarrassment; for, as the decision of the attorney general cannot apply to free persons of color in those states where they are admitted to citizenship, a vessel may be lawfully commanded by a free colored person to trade from New York to Philadelphia, or from any one port to another, under the jurisdiction of states acknowledging such persons as citizens, and yet be prohibited from going from any such port to one where no such acknowledgment exists. A vessel, for example, coming from New York, in command of a colored person, with lawful papers and regular clearance, would not be admitted to entry, we presume, in a port in Virginia; or if permitted, it must be as a foreign vessel, and paying tonnage as such. And again—if a free colored person owning a vessel, wishes to sell her, how is he to make the transfer? Not being owned by a citizen of the United States, no papers could be taken out for her; for the purposes of navigation; therefore, she would be useless. It is well that congress is about to meet, as some legislation is certainly required to unravel and adjust the perplexities with which this conflicting state of things is pregnant."

☞ We trust that there is some misunderstanding as to the opinion attributed to the attorney-general of the United States, in the case stated. Really, we are heartily sick of these *made-up* collisions between the United States and the states, and between the states themselves. There is a great deal too much of *law* and too little of *common sense* prevailing, for the good of the republic. But it is impossible to believe that a vessel, owned in New-York by a person of color, regularly cleared out at that port by an officer of the United States for a port in Virginia, can be refused an entry at that port by another United States' officer: if so, the legislature of New-York may make *foreign* vessels of those of Virginia, if owned by persons possessing slaves, or for any other cause that the legislature may be pleased to assign—such as if the owner uses spectacles, or is accustomed to exercise on horseback. The *sovereign* power, in cases where it exists, may be extended to these things as well as to the color of persons.

The matter, in itself, is of very little importance; and, if it is fairly represented, we only see in it a perseverance in that useless spirit of litigation which prefers shadow to substance and speculation to right.

[Ed. Rec.]

Inland Navigation.

Report of the president and managers of the Union Canal Company of Pennsylvania, presented to the stockholders, at their annual meeting, on the 20th of November, 1821.

In obedience to the injunctions of the charter, the president and managers of the Union Canal Company of Pennsylvania, lay before the stockholders the following

REPORT:

Immediately upon the organization of the board, in the month of May last, a committee was appointed on the important subject of an engineer. That committee entered with alacrity upon the duties assigned to them, and having communicated, by letter, with almost all parts of the United States, where canals had been undertaken, they collected a variety of information as to the talents and qualifications of different individuals, who had been, or were then, engaged in works of that description.

From the knowledge thus obtained, the board determined to select Loammi Baldwin, esq. of Boston, as the engineer; and a negotiation was accordingly opened with him on the subject, through the agency of James Lloyd, esq. formerly of the senate of the United States. Pending this negotiation, Mr. Baldwin visited the line of the canal, as projected, near Lebanon, in company with a committee of the board, for the purpose of satisfying himself upon the practicability and general nature of the undertaking, and an agreement was finally made with him to enter the service of the company, on the thirteenth day of September last, that being the earliest period at which he could free himself from his private concerns, and pre-existing arrangements.

Having chosen Mr. Baldwin, upon the concurring testimony of gentlemen of the first character in different parts of the United States where he has been employed, the board feel an assurance, confirmed by the experience had during the short time that he has been engaged by them, that his science, skill and diligence, have not been unduly commended, and that his selection is an event highly propitious to the interests of the undertaking.

The board having had, previous to their appointment, but little personal knowledge of the country, through which the canal is intended to be carried, the members have at different times arranged themselves into committees, who have, as occasions presented, visited it for the purpose of information. The first of these visits was made on the thirteenth day of June last, when measures were arranged to survey and level the western descent, from the summit, by the course of the Quittipahilla and Swatara, to the Susquehanna, the fall of which had not been before ascertained. This survey was accomplished throughout, under the personal superintendence of the president, and is believed to have been made with great accuracy.

The distance, following the margin of the streams, is thirty four miles and eleven perches, and the fall from the water surface of the summit to the Susquehanna, at the mouth of the Swatara, as thus ascertained, appears to be 220 feet. Which, added to the fall of the Tulpehocken, from the same line to the Schuylkill, as reported by Mr. Weston 310

Gives a total of 530

To be overcome by locks, according to the plan as formerly in part executed.

Should the summit, however, be lowered, a saving of lockage will be made at each of its ends equal to the amount of the reduction.

The result of this survey also shows, that the surface of the Susquehanna, at the mouth of the Swatara, is 276 feet above the tide at Philadelphia.

Suggestions having been made as to the practicability of cutting through the middle ground, which divides the waters flowing into the Quittipahilla from those flowing Tulpehocken, and by lowering the summit about forty feet, causing those streams to mingle at a common level, where the supply of water was deemed abundant, the same opportunity was improved, to make various examinations connected with that object. Levels and borings were taken, in order to ascertain the nature of the soil, and the probable quantity of excavation.

Similar examinations were made along and near the line of the old summit, where wells also were dug, for the purpose of discovering the difficulties

to be encountered, should it be found expedient to continue upon that route, at a lower level.

The different services above mentioned, having occupied the time of the president, until some time in the month of August, he was then requested by the board to proceed to Massachusetts, in order to view the great dam and locks lately completed by Mr. Baldwin, between Boston and Brooklyn, and the Middlesex canal; and to return through New York, for the purpose of examining the works of the Erie and Champlain canals. From Boston he was accompanied by Mr. Baldwin, and having gone to Fort Edward on the latter, and to Rome on the former, they returned to Philadelphia on the twenty-seventh day of September. Much information was obtained in the course of this tour, the usefulness of which, the board have no doubt, will be apparent in the progress of the work.

The engineer commenced his labors at the middle ground on the fourth day of October, and from that time has been assiduously engaged in his duties there. On the nineteenth instant, he presented his report, relative to the summit, which now awaits the decision of the board. Upon a perusal of this report, the board are of opinion, that every doubt as to the supply of water, and the entire practicability of the undertaking at the summit, the most material point, must vanish.

The board are sensible of the anxiety which is felt by the public, relative to the great state object entrusted to their care, and have been strenuous in their exertions to fulfil whatever might be reasonably expected from them. They are also aware, that an actual commencement to excavate some part of the line of the canal, would be generally considered a more satisfactory evidence of their diligence, than any thing which it is now in their power to exhibit. They beg, however, to remark, that every work of this nature must depend, in a great measure, for its successful and economical accomplishment, upon the due adjustment of its plan, so as to guard all points of difficulty, and take advantage of all that are favorable. Until the engineer should have a full opportunity for examination, the board have felt it to be their duty not to incur any considerable expenditure upon views, which might eventually prove defective or impracticable.

No time will now be lost in determining upon the plan; after which, contracts will be entered into as soon as possible; and a small supply of tools and implements having been already provided, such progress will be made with the work as the season may permit. Much cannot, however, be accomplished, until the ensuing spring. In the interim, the details of the work will be thoroughly prepared by the engineer, and every arrangement will be made to prosecute it with the most vigorous industry.

The accounts of the treasurer, herewith submitted, will shew the particulars of the sums received and paid by him, and the balance of \$53,665 03, remaining in hand, on the first instant.

A statement of the lottery fund is also annexed, exhibiting the amount of 72,245 dollars and 12 cents, as having accumulated from that source, in aid of the funds of the company. Of that amount 62,645 dollars and 12 cents, were invested by the late board of managers in six per cent. stock of the United States, the par value of which is 59,389 dollars and 96 cents, and the balance remains in cash, the authority to invest under the charter, having expired at the end of the year 1820.

A schedule is hereunto presented, which exhibits the real property near Lebanon, now held by the company, consisting of the water rights and the feeders, and the land occupied by the line of the canal for an extent of about eight miles, and some grounds purchased for brick yards. The water rights include all the main sources of the Tulpehocken and Quittapahilla creeks. The original cost of so much of this property as was paid for, according to valuation by inquisition, was about 49,000 dollars, and of the residue, which was obtained by private contract, about 7,000 dollars. Almost the whole of this property may be considered as not only available, but essential for the purposes of the canal.

There appears also to be vested in the company, a part of the ground occupied by the Delaware and Schuylkill canal, the cost of which is believed to have exceeded 4000 dollars, but the precise amount has not been ascertained.

On the subject of future income from lotteries, the board feel great pleasure in being enabled to state, that they have made a contract with a gentleman of the first respectability, upon terms far more advantageous to the company than those heretofore obtained; and they feel warranted in the opinion, that ample means to meet the interest upon the new stock will be raised from this source, without having recourse to the treasury of the commonwealth for the payment of any part of it.

As the question of compensation to the officers of the company, will naturally arise at this time, the board deem it proper to remark, that from the period of their organization, the attention of the president has been almost exclusively devoted to the affairs of the company. During a large portion of the time, he has been absent from his residence in its service, having encountered much fatigue, and devoted himself with industry and assiduity to its interests. A portion of the time of the secretary and treasurer has also been required daily, from the same period. Under these circumstances, it appears to the board but just, that the salaries which may be agreed upon, should date their commencement as early as possible, after those gentlemen were severally appointed.

Having thus placed before the stockholders, the measures adopted in the performance of their duty, together with a general statement of their affairs, it may be proper to bring into view some of the advantages which will most probably result from the completion of this important work.

In the examination made by the president, of the operations on the Middlesex canal, he ascertained that a horse, attended by a man and a boy, can convey about twenty-five tons twenty five miles in one day; the expense of which would be as follows:

One man at one dollar per day,	\$1 00
One boy at fifty cents do	50
One horse at one dollar do	1 00
Use of the boat do	1 50
Extra,	1 00

Per day, \$5 00

At the above rate of travelling, it would require three days to pass from the mouth of the Swatara to the mouth of the Tulpehocken \$15 00
Toll which may be demanded by the company, \$1 40-100 per ton on twenty-five tons, 35 00

\$50 00

Making two dollars per ton, or a fraction more than eighteen cents per barrel of flour, for seventy-five miles of distance.

Suppose, then, that the canal should be navigable 250 days in the year, and that there should be an average passage of only fifteen boats per day, the above toll of \$140-100 per ton, would produce \$131,350: thus leaving to the stockholders, after a full allowance for repairs and expenses, an income which would give an ample remuneration for the application of their capital, and to the public a mode of conveyance of about one-fifth the cost of the present land carriage.

While, however, these results may reasonably be looked for, it must be obvious, that by producing a more intimate connection between the interior of the state and its commercial capital, they will tend to cement the good will which ought to exist between members of the same community; and that while efforts of the most extraordinary magnitude are making by our enterprising neighbors to engross the trade of the west, the completion of the Union canal, in connection with the Schuylkill navigation, may be considered as the great link of a system of internal navigation, which, by affording a cheap and certain mode of transportation, will enable the state of Pennsylvania to retain the high standing which the extent and industry of her population, and her resources, so justly entitle her to.

In closing this report, it may not be irrelevant to remark, that the managers of the Schuylkill Navigation Company, believing that an union of interest exists between the two companies, have determined, even at an increased expense, to extend their canal navigation below Reading, instead of keeping, as was originally intended, in the bed of the river: thus giving to the boats which may pass through the Union canal an increased facility in their approach to Philadelphia.

By order of the board,

SAMUEL MIFFLIN, President.

Philadelphia, Nov. 20, 1821.

NAVIGATION OF THE SUSQUEHANNA.

Columbia, Nov. 20, 1821.

The commissioners appointed by the citizens of Lancaster, Pennsylvania, and Baltimore, Maryland, to devise and superintend the execution of measures necessary to promote the improvement of the navigation of the Susquehanna, convened this day at the town of Columbia; and, having interchanged sentiments and views on the occasion of their appointment, determined to make the following report to their fellow-citizens.

The improvement of the navigation of the Susquehanna, from the town of Columbia to the Chesapeake, being equally interesting to the people of Pennsylvania and Maryland, the means necessary to accomplish this desirable end should be provided at the common charge of the two states. It only remains that a plan be adopted to have the subject, in all relations, carried early to the consideration of their legislatures. It is known that the citizens of Lancaster and Baltimore have already signed memorials for that purpose; and there can be no doubt that they will be in readiness to be presented, on the meeting of those bodies. The commissioners will, nevertheless, take care that the memorials aforesaid, shall not only be presented in due time, but, also, urged on the attention of the legislatures with and earnestness becoming their importance.

The commissioners regret that, owing to the unusual sickness which has recently afflicted the inhabitants on the Susquehanna, they have been prevented from attempting the survey and improvements which they were authorised to make; but it is believed that no new survey or chart to be made, would add any thing to the information already possessed, with regard to the obstructions of the navigation of the Susquehanna. The commissioners have been furnished with a splendid chart of the river, composed from the actual surveys of the most respectable engineers of the country, showing most satisfactorily the whole character of the river. More could not be obtained by any new surveys or charts, executed at whatever expense; and the chart above mentioned, can be had at all times when reference to it shall be needful or required.

With regard to the sum which shall be required to complete the navigation, it is unnecessary to offer an opinion, which at present could only be conjectural, whether expressed by a professional engineer or common citizen. Nothing but the actual application of the means, and the consummation of the work, can ascertain with any certainty the cost; but the commissioners are fully persuaded that it will not in any event prove burthensome to either state. On this head the commissioners recommend that the appropriations for the contemplated improvements be annually made, not exceeding at any one time, more than can be expended in one season; for by this policy, the expenditure may always be restricted within the bounds of sound legislative discretion. And it is further recommended, that a board of superintendants be appointed, jointly, by the legislature of both states, who shall have power to employ an engineer, and direct from time to time the work to be done, until the whole shall be considered sufficiently perfect. All other details, in relation to this subject, the commissioners are of opinion, ought to be submitted to the discretion of the legislatures, which will no doubt adopt the most suitable course for their discussion and settlement.

This great object cannot be accomplished in one day, nor in one year; and, therefore, the commissioners take this opportunity to recommend to their fellow citizens, and all the agents employed in furtherance of their views, to exercise the patience, perseverance and compromise, necessary to the attainment of the great benefits to be expected from a good navigation of the Susquehanna; and, in conclusion, they have no doubt, that harmony and concert among the people, and between the legislatures of the two states, will ultimately triumph with complete success.

ISAAC McKIM, *Chairman*.
E. H. CUMMINS, *Secretary*.
JOHN E. HOWARD,
JOSEPH W. PATTERSON,
HENRY HALDEMAN,
JACOB S. RICKLER,
JOHN EVANS.

[FROM THE AMERICAN.]

DESCENT OF THE SUSQUEHANNA.

To the commissioners of Baltimore, whom I lately accompanied on their tour to and from Columbia, I am greatly indebted for the opportunity of descending the Susquehanna from that town to Havre-de-Grace. This opportunity I had anxiously desired, ever since the navigation of that river became a subject interesting to this community; and I do now rejoice that it came with circumstances

peculiarly calculated to afford me pleasure and profit. The gentlemen, with whom I travelled on this occasion, yield to none in zeal to serve the permanent interests of Baltimore, exerting all means in their power to promote enquiries and collect information, which may have a bearing on the navigation of the Susquehanna; and being themselves well qualified to make accurate observation, and suggest improvements where required, they greatly contributed to enhance the conclusions I have formed, and in the sequel briefly state for the information of my fellow citizens.

Having closed their duties in the convention of the commissioners at Columbia; the gentlemen from Baltimore determined in returning home, to descend the Susquehanna to Havre de Grace, conceiving that course best calculated to procure the information which should guide them in their future proceedings. They accordingly purchased a boat, forty-five feet long, and drawing, when unladen, perhaps six inches; and having employed four hands, two of whom are river pilots, commenced the descent of the river from Columbia at 9 o'clock A. M. the wind blowing fresh ahead. No serious obstruction of the navigation, ascending or descending, presented, until the party arrived off Turkey Hill; the river to that point, distant from Columbia five miles, preserving a surface expanded from two to three miles, and diversified by shallows, shoals, and islands. The Flint-bar, Stall's riffles, and Whistler's bar, can scarcely be regarded as obstructions worthy of notice; requiring nothing more than slight wing-dams, and the removal of a few loose rocks, to deepen the channel in the lowest stages of the water. A swell of six inches in the river puts them all out of the question.

At Turkey Hill, the river is forced by the approximation of the shores, into a narrow ravine, and the water being collected into one column is thrown over a bar of rocks. The deepest channel, and that altogether used, is formed by a depression of this bar very near to the eastern shore. The current here becomes rapid, and the column rolling swiftly round a craggy point, and over a rough bottom, assumes an angry countenance: but soon becomes steady and tranquil. The "frail bark" glided through with a steady motion, regarding little the thumping on her bottom of a few surges, recoiling from the neighboring shore. This whole scene furnishes no cause of alarm to the most timorous navigator: and need never be regarded as a serious difficulty in the descending navigation. It might be supposed from this representation, that it would be utterly impracticable to ascend this fall with any kind of craft; but such a conclusion is not warranted by the circumstances. Nature, consistent in her economy, has left to man the means of overcoming this obstruction at a small expense.—The channel being close to the shore and that shore practicable for a good tow-path, there is no impediment in the way of a permanent and complete ascending navigation. Much more might be added, in explanation of the improvements which may be here established, but enough has been said for the present occasion.

Leaving Turkey Hill, the obstacles next occurring are confessedly of little consideration; consisting chiefly of Frie's-rock, Frie's-falls, Wheeling-falls and Wussinger's-falls: all of which may be corrected by the explosion of a few sturdy rocks: a process well understood and not a little practised on the river, of which there are not a few evidences along its shores.

Next succeed Eischelman's-sluice, Hessian-rock, Point-falls, Hangman's-rock, House-rock, and the Indian-steps. Of these Eischelman's-sluice is obviously the most dangerous, on account of the necessity of changing the direction of the vessel exactly on the rapid, to avoid a blind rock at the foot, on which rafts and arks sometimes drive. This is a manœuvre of some intricacy, in steering those unwieldy structures: but a boat, being more easily commanded, is not exposed to their catastrophes. The boat used on this occasion, performed admirably in running through this sluice. All required to make this pass perfectly safe, for a descending vessel, is to blow out the rock just mentioned, which lies here in ambush to catch the unskilful in a critical moment. The ascent of Eischelman's-sluice must be managed in the same way with that suggested in the case of the Turkey Hill Falls.

The Indian steps are several sluices in quick succession, running through straight defiles; and may be ascended by the use of tow lines, and ring-bolts fixed in the latteral rocks. These steps form beautiful natural curiosities, which fully reward the visitor for the time spent in viewing them.

Traversing for several miles a slack water river, the party at length arrived at Cullie's falls, and in a minute ran them down, the surges splashing a little over the larboard bow. On recurring to the level of the river above, the eye, without the aid of an instrument, determined the whole descent at this place, to be from six to eight feet, in the distance of a few hundred yards. This is the steepest rapid in the river from Columbia to the tide; but in this instance, the boat neither pitched nor dipped; no one of the company having been seriously incommoded.

At Cullie's falls we spoke the General Jackson, captain Connelly, ascending the river, laden with sixteen tons of plaster and twenty-five barrels of herrings. This incident was the most grateful that occurred in the expedition; affording a practical confirmation of the utility and feasibility of the various improvements and expedients which had been suggested, at different points, by the several gentlemen on board. The General Jackson is a keel boat, equipped with poles, oars, a windlass and tow lines; and had nearly accomplished the ascent of the falls. Having chosen a route on the western side of the rapid, she was feeling her way among the rocks. This route, though at present much obstructed by rocks, which may be blown out, is less steep than that on the eastern side, and, when properly cleared, will be more eligible for ascending boats. It ought to be improved without delay.

Wishing the General Jackson good speed, and a safe arrival at Columbia, the party continued on their course, meeting with no other capital obstacle until they arrived at Neale's falls, which they found of secondary consideration only, when compared with the obstructions detailed above. Thence to the head of the Susquehanna canal, the navigation in either direction is good; the shoals and shallows of Peach-Bottom, like many of those above not particularly noticed, requiring only to be deepened by the familiar process of blowing rocks and constructing wing-dams.

The descending navigation, in the times of high flood, is now very good, requiring only the explosion of a few rocks, lurking under the surface, and straightening the channels for arks and rafts; structures which will long be preferred to a small boat for bringing the produce of the fields and forests to market. The arks are not intended to return, be-

ing generally broken up and sold as lumber. The rafts are formed of logs, scantling and planks, and float in the water. Boats must be used for the ascending trade; and the principal improvements are wanted to accommodate them when the river is low. Besides the expedients suggested above, there can be found no impediment to the construction of short canals around the principal falls, each of which may be completely overcome by one lock. At Cullie's falls, for instance, the descent is supposed not to exceed six or seven feet, which would not require a lock of greater height; and it is known that locks are calculated, by experienced engineers, to be quite equal to support a head of nine feet. In short, there are so many ways of getting over all the difficulties, that the matter will end in the choice of expedients, according to the demands of facilities to accommodate the trade of the river. Every experiment on the ascending navigation, will, for a time, develop some necessary improvement; and, therefore, the commissioners have well determined to recommend to the legislatures of the states of Pennsylvania and Maryland, annual appropriations of such sums as may be from time to time discreetly applied. It may not be improper here to state, that the boats used last summer in navigating the river, are from seventy to eighty feet long, and, perhaps, too unmanageable in ascending. Mr. M'Kim, who has not a little nautical experience, and who has traversed the St. Lawrence, suggested the substitution of the Canadian boat, in lieu of those now in use, being of a construction better adapted to the ascending trade. The Canadian boat would carry lighter burthens, but require fewer hands to man them, and make up the deficiency of tonnage by quicker passages. The suggestion is entitled to the attention of all who propose to embark in the trade of the Susquehanna, which, I have no doubt, will increase to the great benefit of Baltimore, and confusion of the enemies of her future growth and prosperity.

From the whole view of the Susquehanna, I am constrained to express my undisguised astonishment at the very extravagant and unfounded representations of this noble river, which have been industriously circulated to the great prejudice of Baltimore. The pilots, accustomed to steer arks and rafts, from the Conewago falls downward, to justify the enormous and unwarrantable demands they make for their services, have too habitually magnified the dangers; nor is there room for the exercise of much more charity for the reports of some engineers, although we may admire the fine scenography of their charts.

What if one raft or ark, of twenty descending the river, strike upon a rock, and some or the whole of the property be lost; what if two or three men, in the course of twenty years, be drowned, is this a reason, how much soever such events are to be deplored, for abandoning one of the finest rivers running into the Atlantic? On the same grounds, the ocean may be forever forsaken, and more than one half of this globe determined to be made in vain.

The Susquehanna has been literally slandered by too many who have heretofore undertaken to pourtray its character, and state its capacities to accommodate the trade of the territory with which it is connected. In a long course of perhaps five hundred miles, it affords good navigation; and, profiting by its great natural facilities, it would be unkind in us to complain of a very few miles of difficulty. Having literally canalled the mountains for us, and opened, to our very doors, the way for the trade of not less than 200,000 square miles, it ought

not to be ungenerously stigmatized for a very few obstacles, lying too in the midst of the oldest and most dense population of the country. It has reserved its rapids, which properly belonged to the mountain regions, and brought them forward, where the means of their correction have early accumulated. In this respect, the Susquehanna has proved itself friendly to the people on its shores, and particularly partial to the emporium of the Chesapeake.

E. H. CUMMINS.

Seventeenth Congress—first session.

Monday last, the 3d, being the day appointed by the constitution for the commencement of the first session of the seventeenth congress, the two houses assembled in their respective chambers at the capitol.

IN THE SENATE.

The president *pro tem.* Mr. Gaillard, took the chair at a few minutes past 12 o'clock, and the roll being called, a quorum was found to be present, as designated in the following list.

[This list gives the names of *all* the present senators of the United States, and, to save the trouble and room of a repetition of their names, those who were not present on the first day of meeting, are marked with a*]

New-Hampshire.—David L. Morrill, John F. Parrott.

Massachusetts.—Harrison G. Otis,* Elijah H. Mills.*

Connecticut.—Elijah Boardman, James Lanman.

Rhode Island.—Nehemiah R. Knight, James DeWolf.

Vermont.—William A. Palmer, Henry Seymour.

New-York.—Rufus King, Martin Van Buren.

New-Jersey.—Mahlon Dickerson, Saml. L. Southard.

Pennsylvania.—Walter Lowrie, (one vacancy.)

Delaware.—Nicholas Vandyke* (one vacancy.)

Maryland.—Edward Lloyd* (one vacancy.)

Virginia.—James Pleasants, James Barbour.

North Carolina.—Nathaniel Macon, Montfort Stokes.

South Carolina.—John Gaillard, William Smith.

Georgia.—John Elliott,* Nicholas Ware,*

Kentucky.—Richard M. Johnson, Isham Talbot.

Tennessee.—John Williams, John Henry Eaton.

Ohio.—Benjamin Ruggles, William A. Trimble.*

Louisiana.—Henry Johnson, James Brown.

Indiana.—James Noble, Waller Taylor.

Mississippi.—David Holmes, Thomas H. Williams.

Illinois.—Ninian Edwards,* Jesse B. Thomas.

Alabama.—John W. Walker,* William R. King.*

Maine.—John Chandler, John Holmes.

Missouri.—David Barton, Thomas H. Benton.*

On motion, a committee was ordered to be appointed, jointly with such committee as should be appointed by the house of representatives, to wait on the president of the United States, and inform him that the two houses were assembled, and ready to receive any communication he might have to make.

On balloting for the committee, Messrs. Macon, of North Carolina, and King, of New-York, were chosen;

And the senate adjourned.

December 4. Mr. Talbot, of Kentucky, appeared and took his seat. After which, the other house no yet being organized, the senate adjourned.

December 5. Mr. Otis, of Massachusetts, appeared and took his seat.

No business was transacted to day besides receiving and reading the president's message, of which, on motion of Mr. *Lanman*, three thousand copies were ordered to be printed; and
The senate adjourned.

HOUSE OF REPRESENTATIVES.

Monday, Dec. 3. At 12 o'clock the clerk of the house, according to custom, took his place and called over the roll—a quorum was found to be present.

[The following is a complete list of the members of the house of representatives, those not present, on the calling of the roll, as aforesaid, and for the reason stated above, are noticed by a *]

New Hampshire.—Josiah Butler, Matthew Harvey, Aaron Matson,* William Plumer, jr. Nathaniel Upham, Thomas Whipple, jr.

Massachusetts.—Samuel C. Allen, Gideon Barstow, Francis Baylies, Lewis Bigelow, Henry W. Dwight, William Eustis, Timothy Fuller, Benjamin Gorham, Aaron Hobart, Samuel Lathrop,* Jeremiah Nelson, John Reed, Jonathan Russell.

Rhode Island.—Job Durfee, Samuel Eddy.

Connecticut.—Noyes Barber, Daniel Burrows, Henry W. Edwards, John Russ,* Ansel Sterling,* Ebenezer Stoddard,* Gideon Tomlinson.

Vermont.—Samuel C. Crafts, Elias Keys, Rollin C. Mallory, John Mattocks, Charles Rich, Phineas White.

New York.—Charles Borland, jr. Churchill C. Cambreling, Samuel Campbell, Alfred Conkling, John D. Dickinson, John Gebhard, John Hawks, Thomas H. Hubbard, Joseph Kirkland, Elijah Litchfield, Richard McCarty, John I. Morgan, Walter Patterson, Jeremiah H. Pierson, Nath'l. Pitcher, William B. Rochester, Charles H. Ruggles,* †Peter Sharpe,* Elijah Spencer, Micah Sterling, John W. Taylor, Albert H. Tracey, Solomon Van Reisellaer, William W. Van Wyck, Reuben H. Walworth, Silas Wood, David Woodcock.

New Jersey.—Ephraim Bateman, George Casseady, Lewis Condict, George Holcombe, James Matlack, Samuel Swan.

Pennsylvania.—Henry Baldwin, John Brown, James Buchanan, Wm. Darlington, George Dennison, Samuel Edwards,* Patrick Farrally, Samuel Gross, Joseph Hemphill, †Thomas G. McCulloh,* James McSherry, William Milnor, James S. Mitchell, Samuel Moore, Thomas Murray, Thomas Patterson, John Phillips, George Plumer, Thomas J. Rogers, John Sergeant, Andrew Stewart,* John Tod, Ludwig Worman.

Delaware.—Louis McLane, Caesar A. Rodney.

Maryland.—Thomas Bayly,* Jeremiah Causden, Joseph Kent, Peter Little, Raphael Neale,* John Nelson, Samuel Smith, Henry R. Warfield, Robert Wright.

Virginia.—Mark Alexander, William S. Archer, William Lee Ball, Philip P. Barbour, Burwell Bassett, John Floyd, Robert S. Garnett, Edward B. Jackson,* James Jones,* Jabez Leftwich, William McCoy, Charles F. Mercer, Thomas L. Moore, Hugh Nelson, Thomas Newton, John Randolph,* Arthur Smith, William Smith, Alexander Smyth, Andrew Stevenson, Thomas V. Swearingen,* George Tucker, Jared Williams.

†Mr. Sharpe is the returned member, but it is said that Cadwallader D. Colden is so clearly entitled to the seat, that Mr. S. will not claim it.

‡In like manner as above, Mr. McCulloh is the returned member, but John Findlay is said to be equitably entitled to this seat. Mr. Findlay appeared,

North-Carolina.—Wm. S. Blackledge,* Hutchins G. Burton, Henry Conner, Josiah Crudup, Walker N. Edwards, Thomas H. Hall,* Charles Hooks, John Long, Archibald McNeill, Romulus M. Sanders, Lemuel Sawyer, Felix Walker,* Lewis Williams.

South-Carolina.—James Blair, Joseph Gist, William Lowndes,* George McDuffie, Thomas R. Mitchell, James Overstreet, Joel R. Poinsett, Sterling Tucker, John Wilson.

Georgia.—Joel Abbot, Alfred Cuthbert,* George R. Gilmer, Robert R. Reid,* Edward F. Tatnall, Wiley Thompson.

Kentucky.—Benjamin Hardin, Francis Johnson, John T. Johnson, Thomas Metcalfe, Thomas Montgomery, Anthony New, John Speed Smith, David Trimble, Samuel H. Woodson. (One vacancy.)

Tennessee.—Robert Allen, Henry H. Bryan,* Newton Cannon, John Cocke, Francis Jones, John Rhea.

Ohio.—Levi Barber, John W. Campbell, David Chambers, Thomas R. Ross, John Sloan,* Joseph Vance.

Louisiana.—Josiah Stoddard Johnson.

Indiana.—William Hendricks.

Mississippi.—Christopher Rankin.

Illinois.—Daniel P. Cook.

Alabama.—Gabriel Moore.

Maine.—Joshua Cushman, Joseph Dane, Ebenezer Herrick, Mark L. Hill, Enoch Lincoln, Ezekiel Whitman,* William D. Williamson.*

Missouri.—John Scott.

DELEGATES.

Michigan territory.—Solomon Sibley.

Arkansas territory.—James Woodson Bates.*

A large majority being present, a motion was made that the house should proceed to the choice of a speaker,—agreed to, and Messrs. Newton, of Va. and Nelson, of Mass. were appointed tellers. Whole number of persons present 161—necessary to a choice 81.

Seven ballots were had, with the following results; from which it appears that Mr. Taylor and Mr. Rodney, each had the greatest number three times, and on the other trial were tied.

	John W. Taylor.	C. A. Rodney.	Louis McLane.	Samuel Smith.	Hugh Nelson.	Scattering.
1st ballot.	60	45	29	20	0	2
2nd,	58	60	31	10	0	2
3rd,	61	61	30	5	2	0
4th,	60	69	23	8	0	0
5th,	67	72	16	10	0	0
6th,	72	65	8	19	0	0
7th,	77	59	0	26	0	0

After which, on the motion of Mr. Rodgers, of Penn. the house adjourned.

Tuesday, Dec. 4. The journal of yesterday being read, the house proceeded again to ballot for a speaker. The results were as follows—172 members present—87 necessary for a choice:

	8th ballot.	9th.	10th.	11th.	12th.
John W. Taylor, N. Y.	64	69	70	63	67
Caesar A. Rodney, Del.	36	15	4	5	3
Philip P. Barbour, Va.	35	64	83	85	88
Samuel Smith, Md.	25	13	10	6	4
Henry Baldwin, Penn.	—	4	3	4	6
Louis McLane, Del.	—	—	2	—	—
Scattering,	12	3	2	5	4

This result having been reported by the tellers, the clerk pronounced, accordingly, that Philip P.

BARBOUR, one of the representatives of the state of Virginia, having received a majority of the whole number of votes, was duly elected speaker of this house.

Mr. Barbour was conducted to the chair accordingly, by Mr. Nelson, of Va. and Mr. Warfield, of Md. and the oath of office was administered to him by Mr. Wright, of Md.

Mr. Speaker then rose and addressed the house as follows:

Gentlemen of the house of representatives:

I should do injustice to myself, if I did not express to you the warm feelings of gratitude which have been excited in my bosom by the appointment which you have just conferred upon me. Those feelings are produced, not only by the consideration that this mark of your confidence is a distinguished one, but by the further consideration that it is as unexpected as it is distinguished. In accepting the office to which you have thus called me, I speak in the most perfect sincerity of heart when I assure you that I feel a fearful apprehension in relation to my ability to discharge its duties in manner equal to my own wishes or your expectations. I am sensible of the arduousness of the task; I am sensible, too, of my own want of experience. One thing, however, I can, with safety, promise; it is, that, whatever can be done by diligent attention, and by an unceasing application of such capacity as I possess, shall be done. As it respects myself, the only hope which I entertain that I shall, in any tolerable degree, acquit myself of the responsibility which I am about to assume, rests upon a consciousness that it will be my constant endeavor so to do; but my great reliance is on the support of this house, and its knowledge that the preservation of order is indispensably necessary to give dignity to the proceedings of any deliberative body.

After which the Speaker administered to the members present, severally, the oath to support the constitution of the United States.

The following members appeared and took their seats this day, previous to the ballottings:—Mr. Whitman of Maine, Mr. Lathrop of Mass. Mr. Sloan of Ohio, Mr. Swearingen and Mr. Jackson of Va. Mr. Neale of Md. and Mr. Stewart of N. C.

Mr. Wood, of N. Y. moved to dispense with the form of choosing a clerk by ballot, and appoint that officer by motion. Carried.

Mr. Wright, of Md. moved that Thos. Dougherty be appointed to the office of clerk of the house of representatives; and the motion was, thereupon, agreed to *nem. con.* and Mr. Dougherty was sworn into office accordingly.

Mr. Wright moved that the clerk be directed to communicate the usual message to the senate.—Carried.

On motion of Mr. Wright, the form of voting by ballot was dispensed with in regard to the office of sergeant-at-arms, and Thomas Dunn appointed to that office on nomination.

The same course prevailed in relation to the appointment of door-keeper, and Benjamin Burch was thereupon appointed.

The house declined, at least for the present, to appoint an assistant door-keeper. The usual committee was appointed to wait on the president to inform him of the organization of the house, and the rules of the last congress adopted for the government of the present, until revised or altered, &c. and the hour of meeting was fixed at 12 o'clock, until otherwise ordered. After which the house adjourned.

Wednesday, Dec. 5. After the journal was read, Mr. Rhea, of Ten. called for the consideration of the resolution which he submitted yesterday, for the appointment of the standing committees. The resolution was thereupon considered and agreed to. [The committees will not be announced until to-morrow. The speaker appoints them.]

After some other business, of no importance to mention just now,—

At two o'clock the president transmitted to both houses of congress, by Mr. S. L. Gouverneur, the following

MESSAGE:

Fellow citizens of the senate, and of the house of representatives:

The progress of our affairs since the last session has been such as may justly be claimed and expected, under a government deriving all its powers from an enlightened people, and under laws formed by their representatives, on great consideration, for the sole purpose of promoting the welfare and happiness of their constituents. In the execution of those laws, and of the powers vested by the constitution in the executive, unremitting attention has been paid to the great objects to which they extend. In the concerns which are exclusively internal, there is good cause to be satisfied with the result. The laws have had their due operation and effect. In those relating to foreign powers, I am happy to state, that peace and amity are preserved with all, by a strict observance on both sides, of the rights of each. In matters touching our commercial intercourse, where a difference of opinion has existed in any case, as to the conditions on which it should be placed, each party has pursued its own policy, without giving just cause of offence to the other. In this annual communication, especially when it is addressed to a new congress, the whole scope of our political concerns naturally comes into view; that errors, if such have been committed, may be corrected; that defects, which have become manifest, may be remedied; and on the other hand, that measures which were adopted on due deliberation, and which experience has shown are just in themselves, and essential to the public welfare, should be persevered in and supported. In performing this necessary and very important duty, I shall endeavor to place before you, on its merits, every subject that is thought to be entitled to your particular attention, in as distinct and clear a light as I may be able.

By an act of the 3d of March, 1815, so much of the several acts as imposed higher duties on the tonnage of foreign vessels, and on the manufactures and productions of foreign nations, when imported into the United States in foreign vessels, than when imported in vessels of the United States, were repealed, so far as respected the manufactures and productions of the nation to which such vessel belonged, on the condition, that the repeal should take effect only in favor of any foreign nation, when the executive should be satisfied that such discriminating duties, to the disadvantage of the United States, had likewise been repealed by such nation. By this act a proposition was made to all nations to place our commerce with each on a basis, which, it was presumed, would be acceptable to all. Every nation was allowed to bring its manufactures and productions into our ports, and to take the manufactures and productions of the United States back to their ports, in their own vessels, on the same conditions that they might be transported in vessels of the United States; and, in return, it was required that a like accommodation should be grant-

ed to the vessels of the United States in the ports of other powers. The articles to be admitted, or prohibited, on either side, formed no part of the proposed arrangement. Each party would retain the right to admit or prohibit such articles from the other, as it thought proper, and on its own conditions.

When the nature of the commerce between the United States and every other country was taken into view, it was thought that this proposition would be considered fair, and even liberal, by every power. The exports of the United States, consist generally of articles of the first necessity, and of rude materials in demand for foreign manufactories, of great bulk, requiring for their transportation many vessels, the return for which, in the manufactures and productions of any foreign country, even when disposed of there to advantage, may be brought in a single vessel. This observation is more especially applicable to those countries from which manufactures alone are imported, but it applies, in a great extent, to the European dominions of every European power, and, in a certain extent, to all the colonies of those powers. By placing, then, the navigation precisely on the same ground, in the transportation of exports and imports, between the United States and other countries, it was presumed that all was offered which could be desired. It seemed to be the only proposition which could be devised, which would retain even the semblance of equality in our favor.

Many considerations of great weight gave us a right to expect that this commerce should be extended to the colonies, as well as to the European dominions of other powers. With the latter, especially with countries exclusively manufacturing, the advantage was manifestly on their side. An indemnity for that loss was expected from a trade with the colonies, and, with the greater reason, as it was known that the supplies which the colonies derived from us were of the highest importance to them, their labor being bestowed with so much greater profit in the culture of other articles; and because, likewise, the articles of which those supplies consisted, forming so large a proportion of the exports of the United States, were never admitted into any of the ports of Europe except in cases of great emergency, to avert a serious calamity.—When no article is admitted, which is not required to supply the wants of the party admitting it, and admitted then, not in favor of any particular country, to the disadvantage of others, but on conditions equally applicable to all, it seems just that the articles thus admitted and invited should be carried thither in the vessels of the country affording such supply, and that the reciprocity should be found in a corresponding accommodation on the other side. By allowing each party to participate in the transportation of such supplies, on the payment of equal tonnage, a strong proof was afforded of an accommodating spirit. To abandon to it the transportation of the whole, would be a sacrifice which ought not to be expected. The demand, in the present instance, would be the more unreasonable, in consideration of the inequality existing in the trade with the parent country.

Such was the basis of our system, as established by the act of 1815, and such its true character. In the year in which this act was passed, a treaty was concluded with Great Britain, in strict conformity with its principles, in regard to her European dominions. To her colonies, however, in the West Indies and on this continent, it was not extended, the British government claiming the exclusive sup-

ply of those colonies, and from our own ports, and of the productions of the colonies in return in her own vessels. To this claim the United States could not assent, and, in consequence, each party suspended the intercourse in the vessels of the other, by a prohibition which still exists.

The same conditions were offered to France, but not accepted. Her government has demanded other conditions, more favorable to her navigation, and which should also give extraordinary encouragement to her manufactures and productions, in the ports of the United States. To these it was thought improper to accede, and, in consequence, the restrictive regulations, which had been adopted on her part, being countervailed on the part of the United States, the direct commerce, between the two countries, in the vessels of each party, has been in a great measure, suspended. It is much to be regretted, that, although a negotiation has been long pending such is the diversity of views entertained, on the various points, which have been brought into discussion, that there does not appear to be any reasonable prospect of its early conclusion.

It is my duty to state, as a cause of very great regret, that very serious differences have occurred in this negotiation respecting the construction of the 8th article of the treaty of 1803, whereby Louisiana was ceded to the United States; and likewise respecting the seizure of the *Apollo*, in 1820, for a violation of our revenue laws. The claim of the government of France has excited not less surprise than concern, because there does not appear to be a just foundation for it in either instance. By the 8th article of the treaty referred to, it is stipulated that, after the expiration of twelve years, during which it was provided by the preceding or 7th article, that the vessels of France and Spain should be admitted into the ports of the ceded territory, without paying higher duties on merchandise, or tonnage on the vessels, than such as were paid by citizens of the United States, the ships of France should forever afterwards be placed on the footing of the most favored nation. By the obvious construction of this article, it is presumed that it was intended, that no favor should be granted to any power in those ports, to which France should not be forthwith entitled; nor should any accommodation be allowed to another power, on conditions to which she would not also be entitled, upon the same conditions. Under this construction, no favor or accommodation, could be granted to any power, to the prejudice of France. By allowing the equivalent, allowed by those powers, she would always stand in those ports, on the footing of the most favored nation. But if this article should be so construed, as that France should enjoy, of right, and without paying the equivalent, all the advantages of such conditions, as might be allowed to other powers, in return for important concessions made by them, then the whole character of the stipulation would be changed. She would not be placed on the footing of the most favored nation, but on a footing held by no other nation. She would enjoy all the advantages allowed to them, in consideration of like advantages allowed to us, free from every and any condition, whatever.

As little cause has the government of France to complain of the seizure of the *Apollo*, and the removal of other vessels from the waters of the *St. Mary's*. It will not be denied, that every nation has a right to regulate its commercial system as it thinks fit, and to enforce the collection of its revenue, provided it be done without an invasion of the rights of other powers. The violation of its reve-

nue laws is an offence which all nations punish:—the punishment of which gives no just cause of complaint to the power to which the offenders belong, provided it be extended to all equally. In this case, every circumstance which occurred, indicated a fixed purpose to violate our revenue laws. Had the party intended to have pursued a fair trade, he would have entered our ports and paid the duties; or had he intended to have carried on a legitimate circuitous commerce with the United States, he would have entered the port of some other power, landed his goods at the custom house, according to law, and reshipped and sent them in the vessel of such power, or of some other power which might lawfully bring them, free from such duties, to a port of the United States. But the conduct of the party in this case was altogether different. He entered the river St. Mary's, the boundary between the United States and Florida, and took his position on the Spanish side, on which (in the whole extent of the river) there was no town, no port or custom house, and scarcely any settlement. His purpose, therefore, was not to sell his goods to the inhabitants of Florida, but to citizens of the United States, in exchange for their productions, which could not be done without a direct and palpable breach of our laws. It is known that a regular systematic plan had been formed by certain other persons, for the violation of our revenue system, which made it the more necessary to check the proceeding in its commencement.

That the unsettled bank of a river so remote from the Spanish garrisons and population, could give no protection to any party, in such a practice, is believed to be in strict accord with the law of nations. It would not have comported with a friendly policy in Spain herself, to have established a custom house there, since it could have subverted no other purpose than to elude our revenue laws. But the government of Spain did not adopt that measure. On the contrary, it is understood that the captain general of Cuba, to whom an application to that effect was made, by these adventurers, had not acceded to it. The condition of those provinces for many years before they were ceded to the United States, need not now be dwelt on. Inhabited by different tribes of Indians, and an inroad for every kind of adventurer, the jurisdiction of Spain may be said to have been, almost exclusively, confined to her garrisons. It certainly could not extend to places where she had no authority. The rules, therefore, applicable to settled countries, governed by laws, could not be deemed so to the deserts of Florida, and to the occurrences there. It merits attention, also, that the territory had been ceded to the United States, by a treaty, the ratification of which had not been refused, and which has since been performed. Under such circumstances, therefore, Spain became less responsible for such acts committed there, and the United States more at liberty to exercise authority, to prevent so great a mischief. The conduct of this government has, in every instance, been conciliatory and friendly to France. The construction of our revenue law, in its application to the cases which have formed the ground of such serious complaint on her part, and the order to the collector of St. Mary's, in accord with it, were given two years before these cases occurred, and in reference to a breach which was attempted by the subjects of another power. Its application, therefore, to the cases in question, was inevitable. As soon as the treaty, by which these provinces were ceded to the United States, was ratified, and all danger of further breach

of our revenue laws ceased, an order was given for the release of the vessel which had been seized, and for the dismissal of the libel which had been instituted against her.

The principles of this system of reciprocity, founded on the law of the 3d of March, 1815, have been since carried into effect, with the kingdom of the Netherlands, Sweden, Prussia, and with Hamburg, Bremen, Lubeck, and Oldenburg, with a provision made by subsequent laws, in regard to the Netherlands, Prussia, Hamburg and Bremen, that such produce and manufactures as could only be, or most usually were, first shipped from the ports of those countries, the same being imported in vessels wholly belonging to their subjects, should be considered and admitted as their own manufactures and productions.

The government of Norway has, by an ordinance, opened the ports of that part of the dominions of the king of Sweden to the vessels of the United States, upon the payment of no other or higher duties than are paid by the Norwegian vessels, from whatever place arriving, and with whatever articles laden. They have requested the reciprocal allowance for the vessels of Norway in the ports of the United States. As this privilege is not within the scope of the act of the 3d of March, 1815, and can only be granted by congress; and as it may involve the commercial relations of the union with other nations, the subject is submitted to the wisdom of congress.

I have presented thus fully to your view our commercial relations with other powers, that, seeing them in detail with each power, and knowing the basis on which they rest, congress may, in its wisdom, decide whether any change ought to be made, and if any, in what respect. If this basis is unjust or unreasonable, surely it ought to be abandoned; but if it be just and reasonable, and any change in it will make concession subversive of the principles of equality, and tending in its consequences to sap the foundations of our prosperity, then the reasons are equally strong for adhering to the ground already taken, and supporting it by such further regulations as may appear to be proper, should any additional support be found necessary.

The question concerning the construction of the first article of the treaty of Ghent, has been, by a joint act of the representatives of the United States and of Great Britain, at the court of St. Petersburg, submitted to the decision of his imperial majesty, the emperor of Russia. The result of that submission has not yet been received. The commissioners under the fifth article of that treaty not having been able to agree upon their decision, their reports to the two governments, conformably to the provisions of the treaty, may be expected at an early day.

With Spain, the treaty of February 22d, 1819, has been partly carried into execution. Possession of East and West Florida has been given to the United States, but the officers charged with that service, by an order from his catholic majesty, delivered by his minister to the secretary of state, and transmitted by a special agent to the captain general of Cuba, to whom it was directed, and in whom the government of those provinces was vested, have not only omitted, in contravention of the orders of their sovereign, the performance of the express stipulation, to deliver over the archives and documents relating to the property and sovereignty of those provinces, all of which, it was expected, would have been delivered either before or when the troops were withdrawn, but defeated, since,

every effort of the United States to obtain them, especially those of the greatest importance. This omission has given rise to several incidents of a painful nature, the character of which will be fully disclosed, by the documents which will hereafter be communicated.

In every other circumstance, the law of the 3d of March last, for carrying into effect that treaty has been duly attended to. For the execution of that part which preserved in force, for the government of the inhabitants, for the term specified, all the civil, military and judicial powers, exercised by the existing government of those provinces, an adequate number of officers, as was presumed, were appointed and ordered to their respective stations. Both provinces were formed into one territory, and a governor appointed for it, but, in consideration of the pre-existing division, and of the distance and difficulty of communication between Pensacola, the residence of the governor of West Florida, and St. Augustine, that of the governor of East Florida, at which places, the inconsiderable population of each province was principally collected, two secretaries were appointed, one to reside at Pensacola, and the other at St. Augustine. Due attention was likewise paid to the execution of the laws of the United States relating to the revenue, and the slave trade, which were extended to these provinces. The whole territory was divided into three collection districts, that part lying between the river St. Mary's, and Cape Florida, forming one, that from the Cape to the Apalachicola, another, and that from the Apalachicola to the Perdido, the third. To these districts, the usual number of revenue officers were appointed, and, to secure the due operation of these laws, one judge and a district attorney, were appointed, to reside at Pensacola, and likewise one judge and a district attorney to reside at St. Augustine, with a specified boundary between them—and one marshal for the whole, with authority to appoint a deputy. In carrying this law into effect, and especially that part of it relating to the powers of the existing government of those provinces, it was thought important, in consideration of the short term for which it was to operate, and the radical change which would be made at the approaching session of congress, to avoid expense, to make no appointment which should not be absolutely necessary to give effect to those powers, to withdraw none of our citizens from other pursuits, whereby to subject the government to claims which could not be gratified, and the parties to losses which it would be painful to witness.

It has been seen, with much concern, that in the performance of these duties, a collision arose between the governor of the territory, and the judge appointed for the western district. It was presumed, that the law under which this transitory government was organized, and the commissions which were granted to the officers, who were appointed to execute each a branch of the system, and to which the commissions were adapted, would have been understood in the same sense, by them, in which they were understood by the executive. Much allowance is due to officers employed in each branch of this system, and the more so, as there is good cause to believe that each acted under a conviction that he possessed the power which he undertook to exercise. Of the officer, holding the principal station, I think it proper to observe that he accepted it with reluctance, in compliance with the invitation given him, and from a high sense

of duty to his country, being willing to contribute to the consummation of an event, which would ensure complete protection to an important part of our union, which had suffered much from incursion and invasion, and to the defence of which, his very gallant and patriotic services had been so signally and usefully devoted.

From the intrinsic difficulty of executing laws, deriving their origin from different sources, and so essentially different in many important circumstances, the advantage, and, indeed, the necessity of establishing, as soon as may be practicable, a well organized government over that territory, on the principles of our system, is apparent. This subject, therefore, is recommended to the early consideration of congress.

In compliance with an injunction of the law of the 3d of March last, three commissioners have also been appointed, and a board organized, for carrying into effect the eleventh article of the treaty above recited, making provision for the payment of such of our citizens, as have well founded claims on Spain, of the character specified by that treaty. This board has entered on its duties, and made some progress therein. The commissioner and surveyor of his Catholic majesty, provided for by the fourth article of the treaty, have not yet arrived in the United States, but are soon expected. As soon as they do arrive, corresponding appointments will be made, and every facility be afforded for the due execution of this service.

The government of his most faithful majesty, since the termination of the last session of congress, has been removed from Rio de Janeiro to Lisbon, where a revolution, similar to that which had occurred in the neighboring kingdom of Spain, had in like manner been sanctioned by the accepted and pledged faith of the reigning monarch. The diplomatic intercourse between the United States and the Portuguese dominions, interrupted by that important event, has not been resumed, but the change of internal administration, having already materially affected the commercial intercourse of the United States with the Portuguese dominions, the renewal of the public missions between the two countries appears to be advisable at an early day.

It is understood that the colonies in South America have had great success during the present year, in the struggle for their independence. The new government of Colombia has extended its territories and considerably augmented its strength, and at Buenos Ayres, where civil dissension had for some time before prevailed, greater harmony, and better order, appear to have been established. Equal success has attended their efforts in the provinces on the Pacific. It has long been manifest that it should be impossible for Spain to reduce these colonies by force, and equally so, that no conditions, short of their independence, would be satisfactory to them. It may therefore be presumed, and it is earnestly hoped, that the government of Spain, guided by enlightened and liberal councils, will find it to comport with its interests, and due to its magnanimity, to terminate this exhausting controversy on that basis. To promote this result by friendly counsel with the government of Spain, will be the object of the government of the United States.

In conducting the fiscal operations of the year it has been found necessary to carry into full effect the act of the last session of congress, authorising a loan of five millions of dollars.—This sum has been raised at an average premium of five dollars fifty nine hundredths per cent upon stock

bearing an interest at the rate of five per cent. per annum, redeemable at the option of the government, after the first day of Jan. 1835.

There has been issued under the provisions of this act, four millions seven hundred and thirty-five thousand two hundred and ninety-six dollars thirty cents of five per cent. stock--and there has been, or will be redeemed, during the year, three millions one hundred and ninety-seven thousand thirty dollars and seventy-one cents of Louisiana six per cent. and deferred stock, and Mississippi stock. There has, therefore, been an actual increase of the public debt, contracted during the year, of one million five hundred and thirty-eight thousand two hundred and sixty-six dollars sixty-nine cents.

The receipts into the treasury from the 1st January to the 30th September last, have amounted to sixteen millions two hundred and nineteen thousand one hundred and ninety seven dollars seventy cents, which, with the balance of one million one hundred and ninety-eight thousand four hundred and sixty-one dollars twenty-one cents, in the treasury on the former day, make the aggregate sum of seventeen millions four hundred and seventeen thousand six hundred and fifty-eight dollars ninety one cents.

The payments from the treasury during the same period, have amounted to fifteen millions six hundred and fifty five thousand two hundred and eighty-eight dollars forty seven cents, leaving in the treasury on the last mentioned day, the sum of one million seven hundred and sixty-two thousand three hundred and seventy dollars forty-four cents. It is estimated that the receipts of the fourth quarter of the year, will exceed the demands which will be made on the treasury during the same period, and that the amount in the treasury on the 30th September last, will be increased on the first day of Jan. next.

At the close of the last session, it was anticipated that the progressive diminution of the public revenue in 1819 and 1820, which had been the result of the languid state of our foreign commerce in those years, had, in the latter year, reached its extreme point of depression. It has, however, been ascertained, that that point was reached only at the termination of the first quarter of the present year. From that time, until the 30th of September last, the duties secured have exceeded those of the corresponding quarters of the last year, one million one hundred and seventy two thousand dollars, whilst the amount of debentures issued during the three first quarters of this year, is nine hundred and fifty-two thousand dollars less than that of the same quarters of the last year.

There are just grounds to believe that the improvement which has occurred in the revenue, during the last mentioned period, will not only be maintained, but that it will progressively increase through the next and several succeeding years, so as to realize the results, which were presented upon that subject, by the official reports of the treasury, at the commencement of the last session of congress.

Under the influence of the most unfavorable circumstances, the revenue for the next and subsequent years, to the year 1825, will exceed the demands at present authorized by law.

It may fairly be presumed, that, under the protection given to domestic manufactures, by the existing laws, we shall become, at no distant period, a manufacturing country, on an extensive scale. Possessing, as we do, the raw materials in such vast amount, with a capacity to augment them to an

indefinite extent; raising within the country, aliment of every kind to an amount far exceeding the demand for home consumption, even in the most unfavorable years, and to be obtained always at a very moderate price; skilled also, as our people are in the mechanic arts, and in every improvement calculated to lessen the demand for, and the price of labor, it is manifest that their success, in every branch of domestic industry, may, and will be carried, under the encouragement given by the present duties, to an extent to meet any demand, which, under a fair competition, may be made on it.

A considerable increase of domestic manufactures, by diminishing the importation of foreign, will probably tend to lessen the amount of the public revenue. As, however, a large proportion of the revenue, which is derived from duties, is raised from other articles than manufactures, the demand for which will increase with our population, it is believed, that a fund will still be raised from that source, adequate to the greater part of the national expenditures, especially as those expenditures, should we continue to be blessed with peace, will be diminished by the completion of the fortifications, dock yards and other public works--by the augmentation of the navy to the point to which it is proposed to carry it, and by the payment of the public debt, including pensions for military services.

It cannot be doubted, that the more complete our internal resources, and the less dependent we are on foreign powers, for every national, as well as domestic purpose, the greater and more stable will be the public felicity. By the increase of domestic manufactures, will the demand for the rude materials at home be increased, and thus will the dependence of the several parts of our union on each other, and the strength of the union itself, be proportionably augmented. In this process, which is very desirable, and inevitable, under the existing duties, the resources which obviously present themselves to supply a deficiency in the revenue, should it occur, are the interests, which may derive the principal benefit from the change. If domestic manufactures are raised by duties on foreign, the deficiency in the fund, necessary for public purposes, should be supplied by duties on the former. At the last session it seemed doubtful, whether the revenue derived from the present sources would be adequate to all the great purposes of our union, including the construction of our fortifications, the augmentation of our navy, and the protection of our commerce, against the dangers to which it is exposed. Had the deficiency been such as to subject us to the necessity, either to abandon those measures of defence or to resort to other means for adequate funds, the course presented to the adoption of a virtuous and enlightened people, appeared to be a plain one. It must be gratifying to all to know, that this necessity does not exist. Nothing, however, in contemplation of such important objects, which can be easily provided for, should be left to hazard. It is thought that the revenue may receive an augmentation from the existing sources, and in a manner to aid our manufactures, without hastening prematurely the result, which has been suggested. It is believed that a moderate additional duty on certain articles would have that effect, without being liable to any serious objection.

The examination of the whole coast, for the construction of permanent fortifications, from St. Croix to the Sabine, with the exception of a part of the territory lately acquired, will be completed in the

present year, as will be the survey of the Mississippi, under the resolution of the house of representatives, from the mouth of the Ohio to the ocean—and, likewise, of the Ohio, from Louisville to the Mississippi. A progress corresponding with the sums appropriated, has also been made in the construction of these fortifications at the points designated. As they will form a system of defence, for the whole maritime frontier, and, in consequence, for the interior, and are to last for ages, the utmost care has been taken to fix the position of each work, and to form it on such a scale as will be adequate to the purpose intended by it. All the inlets and assailable parts of our union have been minutely examined, and positions taken, with a view to the best effect, observing, in every instance, a just regard to economy. Doubts, however, being entertained, as to the propriety of the position, and extent of the work at Dauphin Island, further progress in it was suspended soon after the last session of congress, and an order given to the board of engineers and naval commissioners, to make a further and more minute examination of it, in both respects, and to report the result, without delay.

Due progress has been made in the construction of vessels of war, according to the law providing for the gradual augmentation of the navy, and to the extent of existing appropriations. The vessels authorized by the act of 1820 have all been completed, and are now in actual service. None of the larger ships have been, or will be, launched, for the present, the object being to protect all which may not be required for immediate service from decay, by suitable buildings erected over them. A squadron has been maintained, as heretofore, in the Mediterranean, by means whereof peace has been preserved with the Barbary powers. This squadron has been reduced the present year to as small a force as is compatible with the fulfilment of the object intended by it. From past experience, and the best information respecting the views of those powers, it is distinctly understood, that, should our squadron be withdrawn, they would soon recommence their hostilities and depredations upon our commerce. Their fortifications have lately been rebuilt, and their maritime force increased. It has also been found necessary to maintain a naval force in the Pacific, for the protection of the very important interests of our citizens engaged in commerce and the fisheries in that sea. Vessels have likewise been employed in cruising along the Atlantic coast, in the Gulf of Mexico, on the coast of Africa, and in the neighboring seas. In the latter many piracies have been committed on our commerce, and so extensive was becoming the range of those unprincipled adventurers, that there was cause to apprehend, without a timely and decisive effort to suppress them, the worst consequences would ensue. Fortunately, a considerable check has been given to that spirit by our cruisers, who have succeeded in capturing and destroying several of their vessels. Nevertheless, it is considered an object of high importance to continue these cruises until the practice is entirely suppressed: Like success has attended our efforts to suppress the slave trade. Under the flag of the United States and the sanction of their papers, the trade may be considered as entirely suppressed; and if any of our citizens are engaged in it, under the flags and papers of other powers, it is only from a respect to the rights of those powers, that these offenders are not seized and brought home, to receive the punishment which the laws inflict. If every

other power should adopt the same policy, and pursue the same vigorous means for carrying it into effect, the trade could no longer exist.

Deeply impressed with the blessings which we enjoy, and of which we have such manifold proofs, my mind is irresistibly drawn to that Almighty Being, the Great Source from whence they proceed, and to whom our most grateful acknowledgments are due.

JAMES MONROE.

Washington, Dec. 3, 1821.

The message being read—

On motion of Mr. Sawyer, it was *Resolved*, That the message, together with the documents accompanying the same, be referred to a committee of the whole house on the state of the union; and that 5,000 copies thereof be printed.

The house then adjourned.

THURSDAY'S PROCEEDINGS.

In the senate. Messrs. Lanman, Benton and Holmes were appointed the committee on engrossed bills.

In the house of representatives, the usual standing committees were appointed, and the message of the president referred, as customary, to them. We have not room to insert the lists in this paper, and the delay of publication is not important. Nothing else of moment transacted.

CHRONICLE.

Maryland. The legislature of this state commenced its usual session on Monday last. William R. Steuart, esq. was elected speaker of the senate, and Tobias E. Stansbury, esq. speaker of the house of delegates.

The piratical schooner Moscow—arrived at Norfolk. Letter from captain Henley, to the secretary of the navy, dated "U. S. ship Hornet, at sea, Oct. 30th, 1821; lat. 19° 67' N. long. 74° 05' W.

Sir: I have the honor to inform you, that, in pursuance of your orders, I remained at the appointed rendezvous, off the Capes of Virginia, until the evening of the 15th instant, when, no vessels appearing to profit of the convoy offered them, I proceeded on my cruise. Having had bad weather and unfavorable winds, almost ever since, we did not get through Turk's Island passage until yesterday, when we fell in with, and captured, off St. Domingo, the piratical armed schooner called the *Moscow*, mounting one two-pounder. She has no commission, and a mixed crew of blacks and Spaniards—nineteen in number. I have put on board the necessary officers and men to navigate her, and have instructed midshipman Kennon to proceed with her, and such part of her crew as I have thought it safe to leave on board, to the first convenient port, agreeably to your general instructions, and deliver her over to the civil authority.

We found on board a number of articles, evidently of her plunder, viz: such as watches, ladies' shawls, silk stockings, shirts, and other articles marked with initials. She has been out but a short time, as she had on board fresh fruit, &c. She was in pursuit of a merchant vessel the moment we came up with her.

I have the honor to be, sir, with great respect, your obedient servant, R. HENLEY.

The hon. SMITH THOMPSON,

Secretary U. States navy.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The usual time of putting this sheet to press was delayed (so that many of our subscribers will receive it a day later than usual), in the expectation of receiving the annual report of the secretary of the treasury, by yesterday's mail—not being willing that a paper so important should be postponed for a whole week. See page 249.

THE PRESIDENT'S MESSAGE. Almost every editor has had something to say about the president's message, and we, too, are inclined to take a respectful notice of it, as soon as we obtain certain documents which are esteemed necessary to a rightful consideration of our domestic concerns.

JUDICIAL CONTROVERSIES. Mr. Johnson, of Kentucky, has submitted to the senate a very important proposition to amend the constitution of the United States, by the establishment of a tribunal in the senate, which shall have appellate jurisdiction in cases of controversy between the judicial power of the United States, and that of the several states. Whether the plan proposed is, or is not, the best that can be devised to accomplish the object, it is very certain that something should be done—and speedily.

FOREIGN NEWS. By an arrival at New York, London papers to the 23rd of October have been received. The following is a brief notice of the chief things mentioned, as news.

Great Britain. 3 per cent. consols 78½; English wheat, (new), from 40 to 46; ditto (old), from 43 to 75s per quarter—average 52s. 8d.* The king still remained at Hanover. Mobs of persons were committing dreadful excesses in Ireland, especially in Limerick and Mayo. Many murders had taken place and the people were excessively alarmed—unlawful oaths are administered; and an organization to do mischief is apparent. The excitement seems to be caused by the sufferings of the Irish peasantry.

France. The viscount de Ruault has been condemned to death for the assassination of gen. Dujean. The trials of some "conspirators" were going on. Some changes in the concordat with the pope were expected. Telegraphs are generally established from Paris to the principal sea-ports. News from that city to Bordeaux, or vice versa, may be received in five minutes. The French are congratulating themselves that their national debt will be extinguished in the year 1830.

Spain. The yellow fever was still raging at Barcelona, &c. On the 3d, 4th and 5th of October, it is stated, that about 1000 persons died of it! Every house was a place of desolation and mourning. It had been decided to abandon the city and encamp the people.

Italy. The cholera morbus of India, is said to have been brought to Leghorn by a ship from Batavia, and to have carried off many persons. This disease, in India, has assumed a more malignant character than any other that we have heard of. It has swept away the people by hundreds of thousands within the last two years.

Numbers of the Carbonari have been tried at Naples—some guillotined, some sent to the galleys, and some banished. The pope seems to have communicated the whole fraternity; but such things have ceased to produce effect. The country is still infested with bands of robbers.

Russia. Nothing further is known to indicate the designs of Alexander as to Turkey: but it appears that he has not yet withdrawn his troops from that frontier. The London Courier affirms that ministers at length profess a consciousness that they have been deceived by the pretended moderation of Russia.

Turkey. It is apparent that the Greeks are gaining ground. Many important fortresses have been captured by them, and others are closely invested. They have severely beaten their enemies in Albania. A bloody fight took place at Dorna in which the Turks were defeated with much loss. Navarino, the most important fortress in the Morea, has surrendered to the Greeks—a part of the garrison was kept as hostages, the rest sent to Candia. A great supply of brass artillery, mortars, muskets, and ammunition were obtained by this conquest. On entering the place, the principal mosque was instantly converted into a Christian church. Prince Demetrius Ypsilanti is at the head of the Greeks in this quarter. The sea fight off Mycala was not so disastrous to the Turks as had been reported—though they were handsomely beaten, and the Greeks still command the sea. The Turks at Monembasia, whose capture has before been mentioned, held out until, reduced by famine, they had resolved to live on human flesh! They were led to this by the conduct of the besieging Greeks, who, wearied with the length of the siege, daily brought out some of their captives and put them to death with horrible tortures, in the view of the besieged. But when the fortress was given up, most of the Turks were spared.

Later—from London papers of the 3rd November, received at New-York.

The riots in Ireland still continued—the magistrates had prohibited the sale of gunpowder—nine churches were recently robbed in the north. Lord Holland had given a public dinner to Sir Robert Wilson.

France is increasing her army to the full extent of her peace establishment. The king of England was expected at Paris on the 9th Nov. The prince royal of Denmark was also about to arrive there.

The elections in Spain for members of the cortes, had been held, or were proceeding, with great regularity—the yellow fever was yet more extensive in its ravages. It has appeared at Seville and Cadiz. Barcelona, Barcelonetta, and Tortosa, were in a most deplorable state. The account says the contagion makes the most appalling progress. The unburied bodies form a mass of putrefaction, which corrupts the whole atmosphere. It is in contemplation to lay Tortosa in ruins, by bombardment, which, it is hoped, will purify the air. The authorities have refused to extend the circle moved by the cordon.

Prince Ypsilanti, in the Morea, has invited all the generals of the Greeks to a sort of congress. The Turks continue to murder the Greeks, and the lat-

* The official declared average was 56s. 3d. shew-
ing a decline in price of 2s. 1d. per quarter.
Vol. XXI.—16.

ter retaliate, as well as beat their enemies in the field: at about five leagues from Jannina, the latter lost 1000 men in a battle. There is a report, that the high tone and great consequence assumed by the British ambassador at Constantinople, has much offended the emperor of Russia.

The general amount of the hints and rumors received, (and we have nothing but hints and rumors), go to shew that Alexander has a strong hankering after a slice of Turkey. But as nothing of a decisive character is made known, speculators and stock-jobbers give such colorings to the reports as best suit their own views. The absence of positive information evidently shews, in our opinion, that Russia is loath to give up her views on Constantinople, and of sovereignty over the Greeks.

A Turkish fleet, joined by a squadron from Egypt, is stated to have arrived at Zante, from the Dardanelles, having provisioned several fortresses in the cruise—without meeting with any Greek ships, and only once seeing 8 or 10 of them at a great distance.

ELECTION OF SPEAKER. Several gentlemen have requested me to explain the reason of the late contest and result in the house of representatives, as to the choice of a speaker. I am, unaffectedly, ignorant of what is generally known by the name of *politics*, as at present exerted and applied: the landmarks of former parties have been broken down, and the different interests that prevail in the United States do not appear to be settled on any determinate principles. Indeed, I have sometimes apprehended that the old fashioned republican maxim—“*principles and not men*,” has been modelled so as to be understood to mean *men and not principles*. In this remark, there is no reference to any one of the different parties existing among us more than to another; for neither, in my comprehension, has yet put forth the points of *principle* in which it differs from the rest, in an intelligent shape. Messrs. Adams, Clinton and Crawford, and others, are considered as candidates for the presidency, and it would seem as if the *politics* of many were directed to the election of one and a rejection of the rest of these gentlemen—but wherefore and *what* for either of them is supported, the people are yet to learn. These things do not enter into the round of my duties—I have not yet troubled my readers about them—it is most probable that I shall not;—I am not versed in political juggling, am too old to learn, as well as too proud to descend to the meannesses of the *management* which it requires. But I wish that the friends of the different candidates would shew us their peculiar merits—tell us why they are respectively entitled to preference, and then we shall judge of the fitness of the men by the principles they profess. As the old party landmarks have been broken down, let us know the *reason* that different persons are put up, that we may take a side according to conscience in the case. To the people, it is perfectly indifferent *who* it is that holds office, though office-hunters and office-holders too often make such an outcry as to drown reflection and prevent a patient seeking after truth: but they are deeply interested in learning the general rules of *conduct*, by which persons, to be elected by them or appointed through the power which they delegate, will be governed. In many instances we, the *tax-payers*, have been made the most wretched fools that ever lived, by sets of dishonest persons, endeavoring to hold, or striving to obtain, the loaves and fishes. What have we, the people, to do with such men? Personal friendship

and private regard, may lead us to great exertions in things of this sort; but these cannot generally influence the citizens of a state or of the republic at large—they must have, or, at least, *ought to have*, some solid ground for their preference or opposition to rest upon. An evident difference of opinion exists—from whence comes that difference? We pray that the *actors* on those differences will unfold their views, that we may approve or reject them.

With these prefatory remarks, I shall endeavor to explain the causes of the late contest for speaker, and to account for its unexpected result, as gathered from the different newspapers that have touched the subject. It appears, that the opposition to the re-election of Mr. Taylor [a very able man, whose conduct in the chair, at the last session, gave as nearly universal satisfaction as any one can ever hope to do], chiefly arose from a belief that he was friendly to the election of Mr. Clinton to the presidency of the United States; and it is asserted, that fifteen of his colleagues from New-York, and eighteen members from Pennsylvania, steadily voted against him; some also opposed him, perhaps, on account of his proceedings on the Missouri question, and others may have voted for him because of that opposition—but the amount of support or opposition on that special account, was not great: his strength was mainly in the members from the eastern states. Mr. Rodney, an able man, and, perhaps, deserving the character of a *statesman* as well as any member of the house, (16 or 18 years since in congress, but recently elected in Delaware), was the gentleman that seemed most generally to be fixed upon as the successor to the chair by the opponents of Mr. Taylor, and it appears that he received the votes of the members from New-York and Pennsylvania who did not support Mr. Taylor, and those of some members from others of the states. Mr. Rodney's sentiment, as to the person that ought to be our next president, is wholly unknown to me; but on the “Missouri question” he did not differ widely, perhaps, in opinion from Mr. Taylor, and he is decisively for the encouragement of national industry; and his sentiments on these two subjects were well understood at Washington—but the votes given to general Smith and Mr. McLane, prevented his election, as well as that of Mr. Taylor. Gen. Smith was probably supported on account of his long services in the house, and from personal friendships, by some that otherwise might have voted for Mr. Rodney. Mr. McLane, also from Delaware, had a handsome vote; in his state, the old distinctions of “republicans” and “federalists” still exist in nearly their former force, and this gentleman belongs to the latter class of persons *there*—but, as these party names are lost at Washington, we have not heard any suggestion as to who or what interest or party it was that supported him. The scattering votes for the two last appear to have convinced the friends of Mr. Rodney that he could not be elected, as well as that Mr. Taylor's friends were determined to adhere to him; and the result shews that they [Mr. R's friends] gave a final vote that elected Mr. Barbour, who is, likewise, a very suitable man for the station. Mr. B. is believed to be an advocate for Mr. Crawford's election to the presidency—and he was opposed to the restriction on Missouri, as well as the several bills proposed for the protection of national industry, by the committee on manufactures. The event was, that a *minority* of the house, whether in regard to Mr. Taylor or Mr. Rodney, by holding out, at last succeeded in the election of a new candidate, supposed to differ from both of these gentlemen in several important respects, though a

member of acknowledged worth, even by those dissenting from his opinions.

Such is the amount of what we gather from the different accounts that have reached us. How far the facts suggested are correct, we know not, nor do we feel responsible for them. The "National Intelligencer" has avoided the expression of a sentiment as to the choice. The "Washington City Gazette" plainly says that, in the choice of Mr. Barbour, the "southern interest completely triumphed," and that "to divide and conquer is a sound maxim in politics as well as war." The Philadelphia "Franklin Gazette" speaks of Mr. Rodney as the "republican" candidate for speaker, of Mr. Barbour as a "decided republican," and of Mr. Taylor as the "Clintonian candidate." The New-York "National Advocate," referring to the first day's balloting, observes—"who were jostled, who threw their votes in the scale of Taylor or Rodney, we shall not trouble ourselves to guess. It appears too plainly that not a thought was bestowed on the *old republican party*," the meaning of which is incomprehensible to me. The New-York "Commercial Advertiser" says "all power, it seems, must be concentrated in the ancient dominion; but what makes it worse, with the consent of a majority of our own delegation." The "American," of the same city, remarks that "Mr. Taylor is considered, and he has not openly disavowed being, a partisan of Mr. Clinton, whose recent groundless attack upon the general government, has placed him and his friends foremost in the ranks of opposition," &c. The Richmond "Enquirer," speaking of the election of Mr. Barbour, says "he (Mr. B.) is sufficiently gratified by his success, and his competitor sufficiently mortified by his defeat." From all these we form the conclusion, that Mr. Taylor was opposed as the friend of Mr. Clinton—but if, as the friend of that gentleman, he was also supported, it would shew that Mr. C. has more friends in the house than was expected.

We conclude, by inserting the following impromptu—the two first from the "National Intelligencer," and the last from the "Washington City Gazette."

From the *National Intelligencer*—The following impromptu on a late election, were said to have been written by two distinguished politicians of a certain great state.

By A B—KT—L.

To rule in our congress a Taylor once sought—
"He'll suit us," the "Bucktails" they all said,
But the Bucktails consider'd, and so the house thought,
A Barber more fit for its head.

By A CL—NT—N.

Some Demos and Feds, uniting last year,
An expert master Tailor assign'd to the chair,
To turn some political coats.
But the Bucktails a Barber have put in his place,
To dry-shave us all. Oh, shame and disgrace!
I wish he may cut all their throats.

[Then follows a note from the editors, stating that "the object of the writer seems to have been not personal, but rather to have a *hit* at the political distinctions peculiar to a certain state." "Bucktails" and "Clintonians" are party names in New-York.]

From the *Gazette*. On seeing the [above] witty lines in the National Intelligencer, on the selection of the speaker, (says a correspondent) I could not refrain from thinking it applicable to the signs of the times.

In these dreadful times, our old clothes we wear,
That a Taylor's long bill may be sav'd;
But the aid of a Barber no one can spare—
For who does not want to be shav'd?

A BANKRUPT LAW. Most of the newspapers in the east, many in the south, and some in the west, teem with essays and paragraphs, proceedings

and petitions, to favor the passage of a bankrupt law by congress. Such a law, if passed, will have for its chief purpose a relief of the commercial community, creditors as well as debtors: and hence the strong support which that measure receives in the newspapers. We wish to be understood as decidedly favorable to the enactment of a bankrupt law, rightfully conditioned to accomplish its ostensible purposes—to uphold the honest and put down the fraudulent; but cannot help remarking, how much more the public mind is seemingly agitated by things of a commercial character than by those of any other description. Nine tenths of the legislation of the United States, acting for the relief or protection of its citizens, is given up to the commercial class; and a large part of the late message of the president is confined to matters that belong to the trading community. To protect commerce, a squadron is kept up in the Mediterranean, which costs us annually many times more than the trade of that sea is worth to us; and the cruise of the Franklin, alone, on the coasts of the Pacific, to defend our commerce in that quarter, will cause an extra disbursement of 3 or 400,000 dollars, and there will also be one or two other vessels on that station. Now, we do not object to these things, or others of a like nature and tendency, for we are desirous that our flag should be duly respected in every sea, and the presence of a respectable force in the Pacific, may be eminently useful to bring about or preserve that intimacy and good understanding which we wish to exist between us and the governments and people of Chili, Peru, &c.—but the protection of commerce in the Mediterranean and Pacific, costs the nation at least a million of dollars a year; what would be thought, what said, if so large a sum was annually voted away to support domestic manufactures? The mechanics and manufacturers of the United States, together with the farmers, to whom they furnish a *home-market*, are many times more numerous than the persons directly interested in foreign trade, and it makes no essential difference to the grower of cotton, grain or tobacco, whether his products are carried away under an American or a foreign flag, for his profits, in either case, will be the same; but it makes a great difference to him, as a citizen, that domestic labor should be applied to the transport of such commodities: because, while it increases the demand for them, it checks the amount of the quantity which might otherwise be raised to reduce the price. The foreign trade, probably, supports 100,000 persons, and what would be the effect if these were converted from consumers into growers of agricultural articles? And besides, foreign commerce is necessary to furnish us with seamen, to man our vessels of war and defend our country at sea, and, therefore, also, ought to be encouraged, and even protected—and so it is, that the merchants can hardly unite in asking for the passage of a law, that congress will refuse to them,—and regulation is heaped upon regulation at their request, and for the benefit of the shipping interest. Is there no other interest that equally deserves the attention of the general government? The amount of capital and persons employed in manufactures is much greater than such amounts employed in foreign trade, and their products and business are equally worthy of the national care, in every respect and for every reason that can be urged in behalf of the foreign traders. We say, let each and every branch of the national industry receive the patronage of the national government, equally, fairly and frankly.—There is very little, if any, *real cause of jealousy*

between the several parties to the common protection,—if a man expects to obtain a good for himself, he should be willing also that his neighbor might be so favored. If a bankrupt law is necessary to the welfare of the merchants, let them have it—but the merchants should reciprocate, and be equally willing to relieve the farmers and manufacturers of New-York and Pennsylvania, and the other grain-growing states, as much interested in the domestic market as they can be in the foreign one. It is not for one party, protected, to say to the other, unprotected, *your matters will best regulate themselves.*

BOUNDARIES. We are always favorable to natural boundaries for states and counties, if they can be reasonably had; and, in the absence of these, to straight lines; they save a great deal of trouble and silence many disputes. With a view to these principles, ever since the possession of Florida was about to be obtained, we have hoped that the state of Alabama would be extended to the Gulf of Mexico, to embrace all that narrow slip of country known by the name of West Florida, of which Pensacola is the capital. The remaining part of the newly acquired territory is large enough for a state, and the convenience of the people, both of the state and territory, we should suppose, will be promoted by the arrangement. It cannot make any real difference to the present people of the territory, a few office-holders excepted, if the jurisdiction is transferred to Alabama; but as to the internal improvements, which an increased population will require, such a transfer may become very important to the well-being of all. The United States can make such reservations and impose such restrictions as shall be necessary to the accomplishment of the national views, in regard to the district of country transferred.

CORRECT VIEWS. A project is on foot in South-Carolina, to open a canal from Columbia to Charleston, which, a letter writer says, "will make the latter a place of commercial importance equal to New-York, even when that city enjoys the benefits that are to arise from her present vast and liberal undertakings." We are not prepared to admit the reasonableness of this speculation, though quite willing to say *so be it*: let the canal be made, and Charleston become what New-York is—what that city will be. We are glad to see the effects of internal improvement, any where and every where. But the letter writer (in the Charleston Patriot of the 26th ult.) says—"We cannot conceal from ourselves that the political importance of our state is rather likely to decline than increase, unless we make great and wise efforts; and we must be aware that not only our political but individual existence, and certainly all the property in the lower part of the state, depends on our equaling or surpassing if possible, the exertions now made in the northward and middle states, for obtaining the commercial and of course the political pre-eminence. We were fully awakened to a proper sense of our future dangers during the discussion of the Missouri Question, and it is our duty to ourselves and to posterity to exert all our energy to ward off such a state of things; it can only be done effectually by improving our relative wealth, population and political importance in the southern states."

Now, it appears to me, that this is beginning the business at the right end. What was said in relation to Virginia in this paper two weeks ago, may be partially applied to all the southern states. — Their dearest interests are involved in the adop-

tion of measures for the support and encouragement of free laboring whites. The physical strength is in the opposing color, in South Carolina and every inducement that can operate on the mind of man, leads to the adoption of measures to strengthen the other side. It is a subject that we never recur to willingly, and about which we fear to speak freely—yet the last census speaks in a voice of thunder to the statesmen of South Carolina, as well as to those of some others of the states. But we shall not enlarge.

BREAD. Many corporate bodies possess or assume the right of regulating the price of bread. The practice, some hundred years ago, might have suited the condition of the age; but experience has proved that this matter is better left to the competition of the venders than to any thing else—they who sell the cheapest and the best bread, will obtain the greatest custom; and why the law should interfere to regulate the profit of a baker any more than that of a shoe-maker, &c. we cannot imagine. It is proposed in New York to repeal the law establishing an assize, and pass an ordinance simply requiring that the bakers shall use good and wholesome flour, (no matter whether fine, superfine or middlings) and mark each loaf with their names and its *weight*: which, we think, is all the rightful regulation that belongs the subject.

MEXICO. The Asia, of 74 guns, arrived at Havana on the 11th ult. from Vera Cruz, having on board three millions and an half of dollars, the vice king Apodaca, and 270 passengers; and on the 12th, the sloop of war Diamond arrived from the same place with more treasure and filled with passengers; among whom was another vice-king Novella, successor of Apodaca. The cause of the arrival of these vessels with passengers, &c. was the fall of Vera Cruz. When they left that place a small fort, defended by only 100 soldiers, was all that remained in possession of the royalists.

The imperial army, under the command of gen. Iturbide, entered the city of Mexico on the 27th of September, with great pomp and ceremony. His force consisted of 8000 infantry and 10,000 horse. The city was given up under the arrangements made between O'Donoju and the Mexican chief. A junta was installed on the 28th, of which Iturbide was elected president; and this junta appointed a regency, of which Iturbide, O'Donoju and three others were members. The general being thus placed at the head of the regency, the bishop of Puebla was called upon to preside over the junta. The people appear to have been exceedingly well pleased with those proceedings. Great events have taken place in Mexico, and the empire appears to be severed from the parent state; but our accounts are so imperfect that we cannot discover the merits of the matter, or understand the objects of the present possessors of the government of that great country.

The news of these events in Mexico excited very little feeling at Havana—whether because they were expected, or from the reason that the people of Cuba are also disposed to deny the authority of Spain and set up for themselves, we know not. It is the opinion of many, that nothing but the fears of the whites of the black population, preserves the dependence of this island. The white people are afraid of any thing that can make a com-

CONDITION OF EUROPE. The following is published as a letter from an American gentleman in London, under date of Sept 20, and presents an interesting view of the present state of things in Europe—

"Spain owes her security to her mountains and a few brave souls, bred up to the endurance of tyranny, but hardened against its cruelties and roused at length to work its destruction.—Portugal would be enslaved again to-morrow, if the situation of England allowed her, either to do it or permit other nations who cannot do it without or against her navy. Besides, Portugal may be laid by, as a *morceau* for a time of greater leisure. At present the great powers have more important and closely interesting affairs to manage. If Russia spreads out her gigantic arms over the Ottoman, Europe will be in flames. She will be growing too dangerous a next door neighbor, for Prussia and Austria to remain idle. England, as the favorite at present of the Persian court, barely maintains her rebellious Rajahs of India in surly subjection. The Turkish power once subdued by Russia, the court of Persia is also at her mercy, and opens the door for her to the British possessions, whenever she commands it; and when she does so, she and the native princes will reduce the British empire in India to the limits of '57. This is the key of the politics in Europe at this moment. England, to bend France to her will, as she could not any longer make use of the old threat to let Bonaparte loose, lately sent over the man "who beat him" to inspect the fortifications of the cautionary fortresses on the frontier, and to show himself to old Louis and his heir apparent. France has "treasured up wrath against the day of wrath," and with all her apparent acquiescence in the dictation of her allied neighbors, would glory in the opportunity of seeing one half of them fighting the other half; that she might help to beat one side first, and beat the other, *by herself* afterwards, at leisure."

WESTERN INDIANS. Major O'Fallon, U. S. agent on the Missouri, lately arrived at Washington city, accompanied by a deputation from the Pawnees, Omakars, Kansas, Ottobes and Missouris. Their object (says the *Intelligencer*) is to visit their Great Father, and learn something of that civilization of which they have hitherto remained in total ignorance. They are from the most remote tribes with which we have intercourse, and they are believed to be the first of those tribes that have ever been in the midst of our settlements. The Pawnees are said to be the most warlike tribe we have any knowledge of—not so numerous as some others, but more formidable, because united and accustomed to war. These red men of the forest who now visit us are completely in a state of nature.

These Indians have since passed through Baltimore, on a trip to the eastward.

Seventeenth Congress—first session.

IN THE SENATE.

[The senate did not sit on Friday or Saturday.]

December 10. Mr. Elliot of Georgia, and Mr. Walker, of Alabama, appeared and took their seats.

Mr. Williams, of Tennessee, having obtained leave, introduced a bill to authorise the members of the two houses to transmit certain documents by mail, free of postage, which bill was read three times by general consent, passed, and sent to the other house for concurrence.

December 11. Mr. King of Alabama, and Mr. Ware, a member from Georgia, in the place of Mr. Walker, resigned, appeared to day and took their seats.

After the transaction of some preparatory matters, the senate proceeded to the election of a chaplain, and the results of the ballots were as follows,

	1st. ballot.	2nd.	3rd.	4th.
For the rev. Mr. Ryland	11	15	17	22
Brown,	11	12	12	1
M Ilvaine	6	7	5	13
Post,	5	2	1	—
Scattering,	2	—	—	—

On which the rev. Mr. Ryland was declared elected a chaplain of congress on the part of the senate.

December 12. Mr. Johnson, of Kentucky, agreeably to the notice which he gave yesterday, having obtained leave, introduced the following resolution, proposing an

Amendment of the constitution:

Resolved by the senate and house of representatives of the United States of America in congress assembled, That the following amendment to the constitution of the United States, be proposed to the legislatures of the several states, which, when ratified by the legislatures of three-fourths of the states, shall be valid to all intents and purposes, as part of the said constitution.

"That, in all controversies where the judicial power of the United States shall be so construed, as to extend to any case in law or equity, arising under this constitution, the laws of the U. States, or treaties made or which shall be made under their authority, and to which a state shall be a party, and in all controversies in which a state may desire to become a party, in consequence of having the constitution or laws of such state questioned, the senate of the United States shall have appellate jurisdiction."

Mr. Johnson offered a few remarks in favor of his proposition, which had originated from serious consequences that had lately taken place between several of the states and the judiciary of the United States. He said; that no common consideration could induce him to propose an amendment to the constitution, but he thought that the causes which had induced him to ask leave to propose his amendment, were not of ordinary magnitude. He was not prepared to say that this was the best remedy that could be proposed, but thought that it was the duty of congress to look into the matter, &c. Mr. Barbour, of Virginia, seconded the motion, with a view to an enquiry into the subject—he said "that an evil exists in the collisions between the constituent members of the union and the federal authority, as to the sphere of the power of the latter, must be admitted, and it is a subject of deep regret," &c.

The resolution was twice read by general consent, and, on motion of Mr. Holmes, of Maine, it was made the order of the day for the second Monday in January.

The senate then adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, Dec. 6. The following committees were announced as having been appointed by the speaker, pursuant to the order of yesterday for the appointment of standing committees.

Committee of elections. Messrs. Sloan, Edwards of N. C. Tucker of S. C. Moore of Va. Walworth, Rogers, Smith, of Ky.

Committee of ways and means. Messrs. Smith of Md. Todd, Pitcher, Mitchell of S. C. Jones of Ten. Thompson, Stevenson.

Claims. Messrs. Williams of N. C. Rich, McCoy, Moore of Pa. Edwards of Conn. Metcalf, Litchfield.

Commerce. Messrs. Newton, Tomlinson, Hill, Milnor, Kirkland, Abbot, M'Duffie.

Public Lands. Messrs. Rankin, Scott, Hendricks, Cook, Stewart, Cannon, Sterling of N. Y.

Post office and post roads. Messrs. Francis Johnson, Hooks, Gross, Stoddard, Campbell of N. Y. Bateman, Overstreet.

District of Columbia. Messrs. Kent, Mercer, Neale, Matlack, Patterson of Pa. Rochester, Malley.

Judiciary. Messrs. Serjeant, Plumer of N. H. Dickinson, Nelson of Va. Burton, Sanders, Johnston of Lou.

Pensions and revolutionary claims. Messrs. Rhea, Little, Eddy, New, Allen of Ten. Wm. Smith, Hubbard.

Public expenditures. Messrs. Montgomery, Dwight, Crafts, Gebhard, Gist, Barber of Ohio, Tatnall.

Private land claims. Messrs. Campbell of Ohio, Conckling, Moore of Ala. Whitman, Upham, Sterling of Conn. Crudup.

Manufactures. Messrs. Baldwin, Conner, Woodson, Nelson of Md. Durfee, Floyd, Condict.

Agriculture. Messrs. Butler, Baylies, Garnett, Buchanan, M'Niel, Vance, Blair.

Revised and unfinished business. Messrs. Lathrop, Burrows, Ross.

Accounts. Messrs. Allen of Mass. Swan, Rugles.

Expenditures in the department of state. Messrs. Wood, Alexander, Barber of Conn.

Expenditures in the treasury department. Messrs. Tracy, Keyes, Holcomb.

Expenditures in the department of war. Messrs. Tucker of Va. Chambers, Lincoln.

Expenditures in the navy department. Messrs. Edwards of Pa. Patterson of N. Y. White.

Expenditures in the post office. Messrs. Denison, Woodcock, Sawyer.

Expenditures on the public buildings. Messrs. Nelson of Mass. Pierson, Leftwich.

Mr. Bates, the delegate from the territory of Arkansas, appeared and took his seat.

Mr. Wood presented the petition of Cadwallader D. Golden, contesting the election of Peter Sharpe; and Mr. Wright a like petition of Philip Reed, contesting the election of Jeremiah Causden, Referred to the committee on elections.

Many other petitions of a local and less general nature were presented, and referred to the proper committees.

Mr. Campbell moved the following resolution:

Resolved, That a committee be appointed to report a bill providing for the apportionment of representatives among the several states, according to the fourth census.

Mr. C. was desirous that the subject be taken up at an early period of the session, in order that the principle on which the apportionment should be based, should be fully examined and deliberately settled. The legislatures of several of the states, he remarked, were now in session, and it might be important that the subject come before them at an early day, to enable them to district the states pursuant to the act providing for the apportionment, without incurring the delay and expense of convoking the several legislatures for that express object. He thought the census had been so far accomplished as to enable the committee that should be ap-

pointed, to enter immediately upon the consideration of the subject.

On motion of Mr. Cocke, of Ten. and after some debate, the resolution was laid on the table.

Several other resolutions were offered, of no importance to notice just now. [Mr. Wood submitted a series of resolution, referring the president's message; which, as modified or amended, are inserted in our next day's proceedings.]

Mr. Rhea called for the consideration of the resolution which he had yesterday proposed, for the appointment of a select committee on the subject of revolutionary pensions.

The house agreed to consider the same—ayes 57, nays 54.

After some remarks from Mr. Rhea and Mr. Taylor, of N. Y. the resolution was adopted; and the number seven designated.

Mr. Moore, of Penn. introduced the following resolution.

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of further providing by law, for the prevention of duels among persons employed in the civil, military, and naval service of the United States.

After a brief discussion the resolution was adopted, and the house adjourned.

Friday, Dec. 7. The members appointed yesterday to compose the committee on revolutionary pensions, consisted of Messrs. Cocke, Reed, of Mass. Whipple, Wilson, Long, Jackson, and Herick.

After the journal was read this day, and the petitions from the different states and territories presented, and referred to the respective appropriate committees—

Mr. Tracy submitted the following resolution:

Resolved, That in all cases where petitions were presented at the last session of congress to this house, and referred to committees, but not finally acted on, both by the committees and the house, the said petitions shall be considered as again presented and referred to the same committees, respectively, without special order to that effect; and it shall be the duty of the said committees, respectively, upon application in behalf of any petitioner, by a member of the house, to consider and report thereon, in the same manner as if said papers were referred to such committee by special order of the house.

Several amendments were proposed, when on motion of Mr. Sawyer, the said resolution, together with the amendments thereto, was ordered to lie on the table.

Mr. Mallory submitted the following resolution:

Resolved, That the committee on revolutionary pensions be directed to enquire into the expediency of authorizing the secretary of war to restore to the pension roll any person who shall have been stricken therefrom on the evidence of such person's schedule, wherever the secretary of war shall have been satisfied, by additional evidence, that such person is in such reduced circumstances as to come within the provisions of the acts of 1818 and 1820.

The resolution was adopted.

Mr. Cook, of Illinois, submitted the following resolution:

Resolved, That the committee on the public lands be instructed to enquire whether any, and, if any, what provision, is necessary to be made to enable the people of the state of Illinois to open a canal through the public land to connect the waters of lake Michigan with the Illinois river.

[After some remarks, which went to shew that the object of the mover was only the reservation of a small slip of land, through which the canal might pass, to impart value to all the neighboring lands]—the resolution was adopted.

The house then resolved itself into a committee of the whole on the state of the union—Mr. Taylor, of N. Y. in the chair.

The business in order before the committee was, upon the resolutions of Mr. Wood, in relation to a reference of the several subjects presented for consideration in the president's message, to appropriate committees.

Mr. Nelson, of Va. moved to strike out all that part of the resolutions proposed by Mr. Wood, which follows the word *Resolved*, and to insert in lieu thereof, the following: the words marked in *Italic* being added on the suggestion of different members.—

1. *Resolved*, That so much of the president's message as concerns the commercial intercourse of the United States, with all foreign nations, and all other matters relating to the commerce of the United States, be referred to the committee of commerce.

2. *Resolved*, That so much of the president's message as relates to the foreign and diplomatic affairs of the United States, in their intercourse with all other nations, be referred to a select committee.

3. *Resolved*, That so much of the president's message as relates to the Floridas, and the organization of a territorial government for them, be referred to the committee on the judiciary.

4. *Resolved*, That so much of the president's message as concerns the revenue and finances of the United States, be referred to the committee of ways and means.

5. *Resolved*, That so much of the president's message as relates to manufactures and the promotion of national industry, be referred to the committee of manufactures.

6. *Resolved*, That so much of the president's message as concerns the military establishment and fortifications, be referred to a select committee.

7. *Resolved*, That so much of the president's message as relates to the naval establishment; its gradual increase; the repairs and constructions of vessels of war; the protection of our trade in the Mediterranean and Pacific, and on the high seas against the Barbary powers, and against all piratical depredations, be referred to a select committee.

8. *Resolved*, That so much of the president's message as relates to the suppression of the slave trade, be referred to a select committee.

9. *Resolved*, That the said select committees have leave to report by bill or otherwise.

Mr. Edwards, of N. C. moved to amend the 5th resolution by striking from it the words "and, the promotion of national industry"—but after some discussion, the motion was lost.

All the resolutions being adopted, the house adjourned until Monday.

Monday, Dec. 10. Mr. Blackledge, of North Carolina, appeared, was qualified, and took his seat.

The following committees were announced to have been appointed by the speaker, in pursuance of the resolutions of this house on Friday last, viz:

On the naval establishment—Messrs. McLane, Fuller, Warfield, Gilmer, Hardin, Cambreleng, Plumer, of Pa.

On the military establishment—Messrs. Eustis, Van Rensselaer, Bassett, Smith of Ky. Cocke, Darling-ton, Matlack.

On the foreign and diplomatic affairs of the United States—Messrs. Russell, Rodney, Trimble, Archer, Wright, Taylor, Farrelly.

On the slave trade—Messrs. Gorham, Hemphill, Phillips, Borland, Poinsett, J. T. Johnson, Swearingen.

Forty-five petitions were presented this day—sixteen of which were referred to the committee on revolutionary pensions.

Among the petitions was one from Matthew Lyon, contesting the right of Mr. Bates to the trust of delegate from the Arkansas territory; one from Thomas Jefferson, of Virginia, as rector of the University of that state, praying that the duties may be abolished on the importation of books for the use of literary institutions; and one from the corporation of Washington, praying from congress authority to remove farther east that part of the city canal which now runs along Pennsylvania Avenue.

A bill from the senate entitled "an act for the transmission of certain documents free of postage," was read the first and second time, and, by unanimous consent, was also read the third time and passed.

A variety of resolutions were submitted, which shall be noticed as necessary in their progress: among them was the following—

On motion of Mr. Floyd,

Resolved, That a committee be appointed to enquire into the expediency of occupying the Columbia river, and the territory of the United States adjacent thereto, and of regulating the trade with the Indian tribes; and that they have leave to report by bill or otherwise.

On motion of Mr. Butler,

Resolved, That the committee on the post office and post roads be instructed to enquire into the expediency of providing by law, for prohibiting printers and editors of newspapers, and all other persons who are proprietors of any such printing establishment, or in any way concerned in the publication of newspapers, from being mail contractors or postmasters; and also prohibiting postmasters from being mail contractors, or being employed in the conveyance of the mail.

Mr. Lathrop called for the consideration of the resolution which he had submitted to the house on Thursday last, relative to the further extension of the time allowed for the redemption of land sold for direct taxes, which was considered, and agreed to.

Mr. Tracy called for the consideration of the resolution by him submitted on Friday, relative to petitions that had been referred to committees during the last session of congress and not acted upon, which was thereupon taken up, and after some discussion of the subject, the same, on motion of Mr. Walworth, was indefinitely postponed.

On motion of Mr. Bateman, the house then proceeded to the election of a chaplain, and the following gentlemen were nominated, viz:

Rev. Jared Sparks, rev. Maurice W. Dwight, rev. Burgess Allison, rev. John M. Bradford, rev. Reuben Post, rev. John Chalmers.

	1st ballot.	2nd.	3rd.	4th.
Rev. Mr. Sparks . . .	53	62	67	84
Allison, . . .	41	43	53	52
Dwight, . . .	33	38	53	18
Bradford, . . .	16	7	—	—
Post . . .	15	17	—	—

The rev. Mr. Sparks having a majority of the whole number of votes, was declared as chosen

chaplain to congress on the part of the house of representatives. After which the house adjourned.

Tuesday Dec. 11. The following committees were announced as having been appointed pursuant to the orders of yesterday

On public buildings. Messrs. Blackledge, Van Wyck, Cassedy, Brown, Cushman, Hobart, and Williams, Va.

On the expediency of occupying the Columbia river, &c. Messrs. Floyd, Baylies and Scott.

On the joint library committee. Messrs. Poinsett, A. Smith and Whipple.

Mr. Dane and Mr. Murray were appointed of the committee of enrolled bills on the part of this house.

Mr. Reid, of Georgia, appeared, was qualified, and took his seat.

Forty-one petitions were presented this day, of which 13 were referred to the committee of ways and means, 9 to that of revolutionary pensions, &c.

Mr. Sloan, from the committee on elections, reported in favor of Cadwallader D. Colden, of New-York, contesting the return in favor of P. Sharpe, which was on motion referred to a committee of the whole house.

Mr. Sergeant, of Penn. from the committee on the judiciary, reported a bill for the establishment of a uniform system of bankruptcy throughout the United States, which was read by its title. Among other remarks, Mr. S. stated, that the subject of the bill was a matter of deep interest to the people of the United States; that he had presented it thus early in order to give members time to prepare their minds on it; and that it was the same in form as that which came from the senate at the last session. Mr. S. then moved that it be referred to a committee of the whole house, and made the order of the day for the first Monday in January next; which was agreed to.

Mr. Cannon, of Tennessee, submitted for consideration the following resolutions:

1. *Resolved*, That it is expedient to provide for the general defence, by making further provision for arming, organizing, and improving in discipline, the militia of the United States.

2. *Resolved*, That a select committee be appointed on the subject of militia, whose duty it shall be to enquire into the expediency of organizing and providing for the improvement in discipline of the militia of the different states and territories; and that said committee have leave to report by bill or otherwise.

3. *Resolved*, That the committee of ways and means be instructed to enquire into the expediency of increasing the annual appropriation for arming the militia.

4. *Resolved*, That the committee on military affairs be instructed to enquire into the expediency of re-organizing the regular army, so that companies in the different corps contain the number of non-commissioned officers and privates they did previous to the reduction and organization made under the act of last session of congress; and that said committee enquire into the expediency of disbanding the supernumerary officers, and reducing the general staff.

5. *Resolved*, That the committee on military affairs be instructed to enquire into the expediency of reducing the number of cadets (educated at the public expense in the military academy at West Point) to such a number as may be necessary for the regular army of the United States.

These resolutions were ordered to lie on the table.

Mr. Smith, of Md. moved the following resolutions:

1. *Resolved*, That the secretary of the treasury be directed to report to this house a statement shewing the amount annually received under the act for the relief of sick and disabled seamen, during the years 1817, 1818, 1819, and 1820; and the annual expenditures for the same during those years.

2. *Resolved*, That the commissioners of the navy hospitals be directed to report to this house a statement, shewing the annual receipts of the navy hospital fund, and the balance that remains in their hands unexpended.

These resolutions also were ordered to lie on the table.

On motion of Mr. Williams, of N. C. it was

Resolved, That the committee on military affairs be instructed to enquire into the expediency of allowing to officers in the army of the United States a salary or stated sum of money per year, instead of pay and emoluments, as now allowed by law.

Mr. Whitman, of Maine, moved the following resolutions:

Resolved, That the secretary of state be directed to lay before this house copies of any communications received at his office, having relation to any misunderstanding which may have existed between Andrew Jackson, as governor of the Floridas, and Eljijus Fromentin as judge of the court therein.

And, also, in relation to any delay, or omission, on the part of the officers under his Catholic majesty, to surrender to the officers and commissioners of the United States, duly authorized to receive the same, any of the archives and documents which relate directly to the property and sovereignty in and over the said Floridas.

And, also, in relation to the means adopted by the officers and commissioners, on the part of the United States, to obtain possession of such archives and documents.

These resolutions, according to the rules of the house, lie on the table one day of course.

Mr. Nelson, of Md. submitted the following resolution:

Resolved, That a special committee be appointed, with instructions to enquire into the expediency of appropriating the proceeds of the public lands to the creation of a permanent fund for the purposes of education and internal improvements throughout the United States.

Mr. Woodson, of Ky. offered an amendment—

Mr. Cook moved that the amendment last proposed, lie on the table, to the end that the whole subject be postponed until further information be obtained relative to the disposition of the people in regard to the subject, as expressed by their respective legislatures, now in session, before whom it is known to be agitated. After some discussion, the resolution, &c. was laid on the table.

On motion of Mr. Farrelly, it was

Resolved, That the resolution of the legislature of Pennsylvania, "requesting their senators and representatives in congress to use their exertions in procuring the passage of a law providing for the removal of the obstructions in the entrance of the harbor at Erie, on Lake Erie, and pledging the co-operation of that state with the United States, in the accomplishment of that object," and which was referred on the 12th of February, 1811, to the committee on commerce, be again referred to the same committee.

On the motion of Mr. Hemphill, it was

Resolved, That the subject of roads and canals be referred to a select committee.

Several other resolutions were submitted, of no importance to notice just now.

The order of the day was then taken up, on the appointment of an assistant door-keeper.

After the rejection of a motion by Mr. Little to postpone the matter indefinitely, and one by Mr. Rich, to allow a per diem during the session—ten persons were put in nomination for the office, and a ballot had; 83 votes were necessary to make a choice—the greatest number given for any one person was 35. After which the house adjourned.

Wednesday, Dec. 12. Fifty seven petitions were presented this day and variously referred—28 to the committees on revolutionary pensions and on pensions and revolutionary claims; 20 to the committee on claims, &c.

Mr. Lathrop, from a committee, reported a bill for extending the time for the redemption of land sold for the direct tax; which bill was twice read and referred to a committee of the whole.

Mr. Rhea, from the committee of pensions, reported a bill to revive and continue in force for a longer time the act to revive and continue in force the act to provide for persons who were disabled by known wounds in the revolutionary war, and for other purposes; which was twice read.

The bill was filled up so as to continue it in force for six years, and ordered to be engrossed for a third reading to-morrow.

The committee of the whole made a report favorable to Cadwallader D. Colden, and to vacate the place of Peter Sharpe. The business was immediately taken up and decided— and Mr. Colden appeared, was qualified, and took his seat.

The house then proceeded to ballot for an assistant door keeper, and, after repeated trials, J. Oswald Dunn was elected.

The speaker also announced the receipt of the annual report of the secretary of the treasury; which, on motion of Mr. Taylor, was referred to the committee of ways and means: and, on motion of Mr. Mallary, 5,000 copies thereof were ordered to be printed.

The house then adjourned.

Thursday, Dec. 13. In consequence of the decease of col. William A. Trimble, a senator from the state of Ohio, no business was transacted this day in either house, except to make the customary arrangements for his funeral, and to resolve, in both houses, to wear crape thirty days in testimony of respect for his memory.

[Col. Trimble was a very amiable and good man, aged 35 years. He took an active part in the late war, and, on the Niagara frontier, (when a major in the army of the United States), received a wound in the lungs, which is supposed, at length, to have been the cause of his death. In 1818, being elected a senator from the state of Ohio, he resigned his commission of colonel in the army.]

National Law Case.

The following statement is from the Richmond "Expositor," and refers to the case reported at length in page 181, of the present volume of the REGISTER.

General court.—The novel and important constitutional question involved in the case of Wm. Pool and two other seamen, was yesterday decided by the general court, (two judges dissenting) in favor of the captain.

These seamen had been committed to prison by a magistrate of this commonwealth, for a breach of the law of the United States. They came before a judge of the supreme court of law, on a writ of habeas corpus, praying that they might be discharged, on the following grounds:

1. That the magistrate acted judicially in committing.
2. That, acting judicially, the magistrate of a state has no right to execute the laws of the United States.
3. That, whether acting judicially or ministerially, the laws of Virginia have declared the incapacity of the magistrate to perform any function or duty appertaining to any office, place, or appointment, under the authority of the United States.

The judge, finding the case a novel and difficult one, adjourned it to the general court, before which it was argued two or three weeks ago. The judges took time to consider on it, and gave their decision yesterday, as above stated. We understand that the opinion of the court was, not that a state magistrate is bound to execute the laws of the United States, but that the United States may designate any citizen of the United States, among others state magistrates, to execute their laws, and that those citizens, so designated or appointed, may lawfully perform that duty. We shall, no doubt, soon obtain and publish at length the opinion and decision.

This decision goes far enough to put an end to the alarm which the apprehension of a contrary decision naturally produced. We should have been indeed in the high road to the "gulf of consolidation," had it been decided, and the decision acquiesced in, that state judicial officers could not issue process for the apprehension of offenders, &c. under the laws of the United States. Under such a decision, the alternatives would have been, to have suffered the laws of the union to be trampled under foot, scorned and contemned by the vilest of malefactors; or to have established at least one *United States justice of the peace* for every county in the United States. This, we confess, would be giving to this government a nationality of character, and to the executive particularly, an extent of patronage, which we should contemplate with utter aversion and dismay. The independence of the judiciary has saved us from either of these alternatives, almost equally to be deprecated.

☞ Since the preceding was in type, we have received a regular report of the case—which, as it is highly important, shall soon be registered. Ep.

Annual Treasury Report.

Treasury department, December 10, 1821.

SIR—I have the honor to transmit a report, prepared in obedience to the "act supplementary to the act to establish the treasury department."

I have the honor to be, very respectfully, sir, your obedient servant, WM. H. CRAWFORD.

PHILIP P. BARBOUR,

Speaker of the house of representatives.

REPORT.

In obedience to the directions of the "act supplementary to the act to establish the treasury department," the secretary of the treasury respectfully submits the following report:

1. Of the Revenue.

The nett revenue arising from imports and tonnage, internal duties, direct tax, public lands, postage, and other incidental receipts, during the year 1818, amounted to

	dols. 26,095,200 65
Viz:	
Customs	21,828,451 48
Arrears of internal duties	947,946 33
Arrears of direct tax	263,426 01
Public lands, exclusive of Mississippi stock	2,464,527 90
Dividend on stock in the bank of the U. States,	525,000 00
Postage and other incidental receipts,	65,348 93
That which accrued from the same sources, during the year 1819, amounted to	dols. 21,435,700 69

Viz:	
Customs,	17,116,702 96
Arrears of internal duties,	227,444 81
Arrears of direct tax,	89,850 61
Public lands, exclusive of Mississippi stock,	3,274,423 78
First instalment from the bank of the United States, and dividend on stock in that bank,	675,000 00
Postage and other incidental receipts,	61,280 33
And that which accrued from the same sources, during the year 1820, amounted to	dols. 15,284,546 29

Viz:	
Customs,	12,449,556 15
Arrears of internal duties,	104,172 07
Arrears of direct tax,	31,286 82
Public lands, exclusive of Mississippi stock,	1,635,871 61
Second and third instalments from the bank of the United States,	1,000,000 00
Postage and other incidental receipts,	63,659 64

It is estimated that the gross amount of duties on merchandise and tonnage, which accrued during the three first quarters of the present year, exceeds \$14,038,000.

The payments into the treasury to the 30th of September last, have amounted to

	dols. 16,219,197 70
Viz:	
Customs,	10,068,394 85
Public lands,	940,980 36
Arrears of internal duties and direct tax,	69,867 26
Bank dividends,	105,000 00
Incidental receipts,	21,581 51
Re-payments,	13,373 73
Loan,	5,000,000 00

And the payments into the treasury, during the fourth quarter, are estimated at

	dols. 3,595,278 14
Viz:	
Customs,	3,000,000 00
Public lands,	350,000 00
Moneys recovered out of advances made in the war department before the 1st of July, 1815,	120,000 00
Balances of military appropriations carried to the account of the surplus fund,	90,278 14

Direct tax and internal duties, and incidental receipts	25,000 00
Making the total amount, estimated to be received into the treasury during the year 1821	dols. 19,814,475 84
Which, added to the balance in the treasury on the first of January last, of	1,198,461 21

Make the aggregate amount of

The application of this sum for the year 1821 is estimated as follows:

Viz:	
The payments to the 30th of September have amounted to	dols. 15,655,288 47
Viz:	
Civil, diplomatic, and miscellaneous	1,772,717 30
Military service, including fortifications, ordnance, Indian department, revolutionary and military pensions, arming the militia, and arrearages prior to the 1st of January, 1817	4,872,865 78
Naval service including the gradual increase of the navy,	2,603,592 75
Public debt, including dols. 591,511 30 of Mississippi stock	6,406,112 64
During the fourth quarter it is estimated that the payments will amount to	3,580,000 00

Viz:	
Civil, diplomatic and miscellaneous,	690,000 00
Military service	290,000 00
Naval service	700,000 00
Public debt	1,900,000 00

Making the aggregate amount of 19,235,288 47 Which, being deducted from the above sum of 21,012,937 05, will leave in the treasury, on the 1st day of January next, a balance estimated at

1,777,648 58

But, of the balances of appropriation for the service of the year 1821, necessary to effect the object of those appropriations, exclusive of balances, which will not be required, and which have been deducted from the estimates of the year 1822, or will be carried to the account of the surplus fund, there remains the sum of \$2,268,611 28—which is an existing charge upon the revenue of 1821, and exceeds the balance estimated to be in the treasury on the 1st day of January next, by \$490,962 70.

2. Of the public debt.

The funded debt which was contracted before the year 1812, and which was unredeemed on the 30th of September, 1820, amounted to

	Dolls. 20,570,927 12
And that contracted subsequently to the first of January, 1812, and unredeemed on the 30th of September, 1820, amounted to	70,654,933 65

Making the aggregate amount of

91,225,860 77

Which sum agrees with the amount stated in the last annual report as unredeemed on the 1st of October, 1820, excepting the sum of 38 dollars 66 cents, which was then short estimated, and which has been since corrected by actual settlement.

In the fourth quarter of the year, there was added to the above, the sum of

457,747 95

Viz:

In 6 and 7 per cent. stocks, for treasury notes brought into the treasury, and cancelled

3,280 29

In 5 per cent. stock, under the act of May 15, 1820,

454,567 66

And there was paid in the fourth quarter the sum of

91,683,308 72

Viz:

Deferred stock reimbursed

249,401 58

Payments on account of the Louisiana stock

139,490 63

Making the public debt, unredeemed on the 1st of January, 1821,

91,294,416 51

From the 1st of January to the 30th of September, inclusive, there has been added the sum of

4,739,776 33

Viz:

Three per cent. stock, for interest on registered debt,

26 01

Treasury note 6 and 7 per cent. stock

4,454 07

Loan authorized by act of 3d of March, 1821

4,735,296 30

Making

96,034,192 89

From which is to be deducted the sum of

2,348,097 15

Viz:

Reimbursement of deferred stock during the same period

276,737 15

Payments on account of Louisiana stock

2,071,360 00

Making the public debt which was unredeemed on the 1st of October, 1821,

93,686,095 74

To which will be added, in the fourth quarter, treasury note six per cent. stock issued

390 40

Making

93,686,486 14

From which will be deducted, in the fourth quarter, the sum of

262,880 41

Viz:

Reimbursement of deferred stock

257,322 26

Residue of Louisiana stock

5,558 15

Making the amount of the public debt, unredeemed on the 1st of January, 1821, as estimated

93,423,605 73

The treasury notes yet outstanding are estimated at

28,495 00

The awards made by the commissioners, appointed under the several acts of congress, for the indemnification of certain claimants of public lands in the Mississippi territory, amount to

4,282,151 12

Of which there have been received at the general land office in stock,

2,442,535 39

And there have been paid at the treasury

1,734,490 85

Making together

4,177,026 24

And leaving outstanding on the 30th of September, 1821,

105,124 88

Of the estimates of the public revenue and expenditure for the year 1822.

The diminution of the revenue from imports and tonnage, which occurred in 1819, advanced with progressive force through 1820, and reached

its lowest point of depression in the first quarter of the present year. The duties secured in that quarter were 727,000 dollars less than those of the corresponding quarter of 1820; whilst the amount secured in the second and third quarters exceeded that of the same period of the preceding year by 1,172,000 dollars: thus presenting, on the 30th of September last, an aggregate excess of 445,000 dollars, for the three first quarters of 1821, which sum, there is just reason to believe, will be considerably augmented at the end of the year.

Whilst the duties have progressively increased, the debentures chargeable upon them have considerably diminished; the amount of debentures, issued from the 1st of January to the 30th of September last, being 952,000 dollars less than was issued during the same period of the preceding year.

The same causes which, in 1819 and 1820, effected so great a reduction of the revenue arising from imports and tonnage, were felt in an equal degree in the sale of the public lands. Those who, from an anticipation of their resources previously to those years, were unable to purchase foreign merchandise, were equally incapable of purchasing public lands, or of discharging debts contracted with the government by purchases antecedently made.

In the annual report of the treasury at the commencement of the last session of congress, the receipts from the public lands for the year 1821 were estimated at 1,600,000 dollars, if no change should be made by law, affecting the obligations which the purchasers were then under to be punctual in their payments. But, at the close of that session, an act was passed for the relief of the purchasers of public lands, which so far impaired that obligation as to induce the committee of ways and means to estimate the proceeds of that source of revenue at only 800,000 dollars. It has been shown, however, that the receipts to the 30th of September last have exceeded 940,000 dollars; and those of the whole year are now estimated at 1,300,000 dollars.

This result in relation to the public lands, and the improvement which has taken place in the revenue arising from imports and tonnage, indicate a favorable change in the condition of the nation: from which a progressive increase of the public revenue may be confidently anticipated.

Independently, however, of any such increase, the facts disclosed by the fiscal operations of the year, some of which have been enumerated, warrant the conclusion,

That the receipts of the year 1822 may be estimated at

Viz.	dols.
Customs,	14,000,000 00
Public lands,	1,600,000 00
Bank dividends,	350,000 00
Arrears of direct tax and internal duties	75,000 00
Moneys recovered out of advances made in the war department, before the 1st of July, 1815,	60,000 00
Incidental receipts,	25,000 00

The expenditures of the year 1822 are estimated at 14,947,661 80

Viz.	dols.
Civil, diplomatic and miscellaneous,	1,564,297 00
Public debt,	5,722,857 01
Military service, including fortifications, ordnance, Indian department, revolutionary and military pensions, arming the militia, and arrears prior to the 1st of January, 1817,	5,108,097 52
Naval service, including the gradual increase of the navy,	2,452,410 27

The receipts of the year will, therefore, exceed the estimated expenditure, by

Which, after discharging the difference between the balance in the treasury on the 1st of January, 1822, and the balance of appropriations chargeable

upon it, will leave in the treasury, on the 1st of January, 1823, a balance estimated at \$671,375, 50.

It is however, proper to state, that in the estimate for the naval service, only \$200,000 of the annual appropriation of \$500,000 for the gradual increase of the navy is included; but that, of the amount estimated by the secretary of war, a sum larger than the balance of that appropriation is for arrangements for revolutionary pensions and the Indian department, which will not be embraced in the estimates for the year 1823.

The expenditure of the two succeeding years, it is believed, will not exceed that of the year 1822, unless a further expenditure shall, in the intermediate time, be authorized by law. But, in the expenditure of the year 1822, and also of 1823 and 1824, no part of the annual appropriation of \$10,000,000 constituting the sinking fund, is comprehended, except what is necessary to discharge the interest of the public debt, and the reimbursement of the six per cent. deferred stock. On the 1st of January, 1825, and the three succeeding years, the debt contracted during the years 1812, 1813, 1814, and 1815, becomes redeemable at the will of the government. These sums greatly exceed the amount of the sinking fund applicable in those years, to the redemption of the public debt. As the current value of the five per cent. stock, created during the last and present years, exceeds that of the seven per cent. stock, and of the six per cent. stock of 1812 and 1813, it is presumed that the holders of those stocks will be disposed to exchange them for an equal amount of five per cent. stock, redeemable at such periods as to give full operation to the sinking fund, as at present constituted. According to this view of the subject, \$24,000,000 of the stocks which will be redeemable in the years 1825 and 1826, may be exchanged for five per cent. stock, redeemable, one third on the 1st of January, 1831, and one third on the same days of 1832 and 1833. This exchange of six per cent. stock, if effected on the 1st of January, 1823, will produce an annual reduction of the interest of the public debt, from that time to the first mentioned period, of \$240,000, and an aggregate saving, through the whole period, of \$2,160,000. If the whole of the seven per cent. stock should be exchanged, the saving will be considerably increased.

If such an exchange of stock should be deemed inexpedient or impracticable, a saving of equal, if not greater extent, may be effected in the years 1825, 1826, 1827, and 1828, by borrowing, at the rate of five per cent. in the first and each successive year, a sum equal to the difference between the amount redeemable, and that portion of the sinking fund, applicable to its redemption; the five per cent. stock so created, to be redeemable at such periods as to give full operation to the sinking fund, until the whole of the public debt shall be redeemed. If the five per cent. stock shall, during those years, be above par, a saving beyond that proposed to be effected by the exchange of stock in 1822, will be secured, to the extent of that difference, by the latter process.

But it is possible that the progressive increase of the revenue, which has been anticipated, and which is necessary to the full operation of the sinking fund, may not be realized. In that event, the public expenditure authorized by law, may, after the 1st of January, 1825, exceed the public revenue.

The remedy in such case must be—1st, an increase of the public revenue by an addition to the ex-

isting impositions; or, 2d, a reduction of the sinking fund.

First. A general revision and correction of the duties imposed upon foreign merchandise seem to be required. Many of the articles which pay but fifteen per cent. ad valorem, ought in justice as well as policy, to be placed at twenty five per cent. which is the duty paid upon the principal articles of woollen and cotton manufactures. The same observation is applicable to some of the articles which pay twenty per cent. ad valorem. A correction of the existing duties, with a view to an increase of the public revenue, could hardly fail to effect that object to the extent of nearly 1,000,000 dollars annually. It is highly probable, however, that an increase of duty, on some of those articles, might eventually cause a reduction of the revenue, but this can only take place where similar articles are manufactured in the country. In that event, domestic manufactures will have been fostered, and the general ability of the community to contribute to the public exigencies will have been proportionably increased.

Second. If it should be deemed expedient to reduce the sinking fund, in preference to the imposition of additional duties, it may be satisfactory to know, that an annual appropriation for that object of 8,000,000 dollars, commencing on the first of January, 1825, will extinguish the whole of the public debt, exclusive of the three per cent. stock, in the year 1839. Should the sinking fund be reduced to 8,000,000 dolls. an exchange of 36,000,000 dollars of six per cent. for five per cent. may be effected in the course of the year 1822, if the present price of the latter stock should continue, without diminishing, in any degree, the operation of that fund, in the redemption of the public debt. Such an exchange would reduce the interest annually 360,000 dollars.

The loan of 5,000,000 dollars, which was authorized by the act of third March, 1821, has been obtained at an average premium of nearly 5.59 per cent. upon the issue of five per cent. stock, redeemable at the will of the government, after the 1st of January, 1835.

All which is, &c WM. H. CRAWFORD.

Treasury department, Dec. 10, 1821.

[The documents accompanying the report, shall be published in our next sheet.]

Affairs at Pensacola.

Accompanying the president's message there was such a mass of documents, relative to certain late proceedings in Florida, between governor Jackson and the late Spanish authorities, as makes a closely printed pamphlet of seventy pages. We shall not attempt to wade through this mass of matter, or publish it.

The following letter from judge Fromentin, to the editors of the "Floridian," is inserted as rightfully following the other articles which we have published on the subject.

PENSACOLA, November 12.

Messrs. Nicholas and Tunstall, editors of the Floridian.

Gentlemen—I have this moment received the Floridian of this day. I am unwilling to enter into a newspaper controversy, and of course, cannot take any notice of your comments and observations on the difficulty between governor Jackson and myself. But in the number of questions put in your paper of this morning, to the editor of the Richmond Enquirer, finding some which, although addressed to him, cannot be properly answered but by myself;

without presuming that my answers may be satisfactory to you, as the answers which you will no doubt, receive from the Richmond Enquirer, and still, but without, on my part, any disposition to encroach on the right of the Enquirer to answer for himself, or to make myself a prompter to him, than whom no man is less in need of a prompter; but simply with a view to gratify your application for information as far as I am able—I proceed to answer your questions. You will make such use of my answers as you may deem proper. They are tendered, on my part, I assure you, with perfect respect and good will towards the promotion of what I suppose may not be deemed useless information, since you have thought proper to make the enquiry.

To your first question—

"By what process of reasoning is the constitution of the United States made to extend to the Floridas?"

I answer—that both the treaty and the act of congress provide for the maintaining the inhabitants of the ceded territories in the free enjoyment of their liberty, property, and religion. Now, if their liberty is invaded, by what process but by a writ of habeas corpus, can they be restored to the enjoyment of that liberty secured to them? And where but in the constitution, do we find the remedy afforded adequate to the purposes expressed both in the treaty and in the act of congress?

"2. Does the constitution of the United States create the writ of habeas corpus?"

No—it goes further. It pre-supposes it extending over the whole of the territory of the United States, and, of course, only declares that it shall not be suspended, except in cases which certainly did not exist here.

"3. Why was it deemed necessary, in extending this writ to Louisiana, to do it by an express act of congress?"

It was extended to Louisiana by an express act of congress. But it had been extended to it before without it, for the reasons stated in my answer to your first question.

"4. Why was there an express act of congress authorizing the different United States courts to issue the writ of habeas corpus?"

For the same reason, indubitably, for which acts of congress were passed to carry into effect all the other provisions of the constitution of the United States. The law is passed. The reason why is not a matter of judicial enquiry. The duty of the judge is to obey the law.

"5. In the authority given the United States courts to issue the habeas corpus, are there not limits and restrictions—and what are they?"

There are limits and restrictions. Those limits and restrictions extend to every case which is not properly cognizable before the courts of the United States. If a man, for instance, is confined by a state authority, over which the courts of the United States have no jurisdiction, the courts of the United States are prohibited from interfering. They will not neither interfere in cases originating in the legal sentences of courts martial either in the army or navy. But in every case of prisoners in jail, under or by color of the authority of the United States, it is not only the right but the duty of the courts of the United States to issue the writ.

"6. Why were any restrictions imposed on the United States courts in their use of the habeas corpus?"

To prevent, I humbly presume, the conflict of jurisdiction between the independent states' courts, and the courts of the United States.

"7. When judge Fromentin issued his habeas corpus, was it under the constitution of the United States, or under the act of congress?"

It was in virtue of his commission, which makes it his duty to execute his office according to the constitution and laws of the United States.

"8. Did judge Fromentin issue the writ as district or territorial judge?"

This is answered by the answer to the seventh question.

"9. What acts of congress are intended to the Floridas?"

All the acts and constitutional provisions without which the protection pledged by the treaty, and afforded by the act of congress for carrying the treaty into effect, could not possibly be extended.

I have the honor to be, gentlemen, your most obedient humble servant,

ELIJ. FROMENTIN.

Kentucky.

The following is the report which has been made in the house of representatives of the state of Kentucky, on the subject of public lands:

The committee to whom was referred the communications from the legislature of the states of Maryland and New-Hampshire, ask leave to report:

That the communications submitted to them, embrace reports and resolutions thereupon, adopted by the legislatures of those states, and the objects of which are to direct the attention of congress and the legislatures of the several states of the union, to the national lands, as a source from which appropriations, for the purposes of education, may with justice be claimed by those states, for which no such appropriations have yet been made.

Your committee, highly sensible of the importance of the fact, that the most effectual means of achieving or perpetuating the liberties of any country, is to enlighten the minds of its citizens by a system of education adapted to the means of the most extensive class of its population; and alive to any just means, within their power, for the advancement of this great object, not only within their own state, but alike to all the members of the great political family, of which they are a part, and for whose common interests they are thus united—have, with much interest, examined the facts stated, and the arguments used, in said reports, and do not hesitate to concur in the opinions therein expressed, that the national lands are strictly a national fund, and, in just proportions, the property of all the states of the union; and that, from the extent and nature of the fund, appropriations may, with great propriety, be extended to all the states of the union.

It is deemed necessary, in a report of this kind, to enter at large into all the arguments that might be used to establish the opinion above expressed. A few of the facts which have presented themselves in the investigation of this subject, are submitted.

It is ascertained, that all the states and territories whose waters fall into the Mississippi, have been amply provided for by the laws of congress, relating to the survey and sale of the public lands, except the state of Kentucky.

Why those appropriations should have stopped short of Kentucky, your committee are not able to see, especially when they take into consideration its situation in relation to the other states of the union; the contest it has maintained in establishing itself, protecting at the same time the western bor-

ders of the the old states, and extending the more northern and western settlements.

Kentucky long stood alone in a forest of almost boundless extent, separated from her parent settlements by extensive ranges of mountains, and fit receptacles for her savage enemies, and by which she was cut off from the succor, and almost from the knowledge, of her friends; yet maintaining her stand, and at the same time forming a barrier by which the more eastern states were protected from the common enemy, she has not only established herself, but has also gone forward to the establishment and support of those states and territories which now form the great national domain, which is the subject of this report.

Notwithstanding many arguments might be used, which would go to prove that Kentucky has claims to appropriations of those lands, without extending the system to all the other states, yet, your committee believe, that such arguments are not necessary, and that a few facts here submitted will prove that those appropriations may be made general, without materially affecting the national revenue.

Relying upon the apparent correctness of the able document before the committee, received from the state of Maryland, it appears, that the total amount of literary appropriations made to the new states and territories, will amount to 14,576,569 acres; that the additional amount required to extend the same system to those states for which no such appropriations have yet been made, would be 9,370,760 acres; that the state of Kentucky, as her part of such appropriation, would be entitled to 1,066,695 acres; and, estimating the whole quantity of unsold lands, yet owned by the United States, at 400,000,000 acres, that the additional amount required to extend the same scale of appropriation to all the states, which have not received any, would not amount to $\frac{3}{4}$ per cent upon the landed fund as above.

Relying, therefore, upon the foregoing considerations, as sufficient for their purpose, and believing that the magnanimity of their sister states in the west will produce an unanimity in the congress of the United States upon this subject, your committee are prepared to close this report, and beg leave to recommend the adoption of the following resolutions:

Resolved, by the senate and house of representatives of the commonwealth of Kentucky, that each of the United States has an equal right, in its just proportion, to participate in the benefit of the public lands, the common property of the union.

Resolved, That the executive of this state be requested, as soon as practicable, to transmit copies of the foregoing report and resolution to our senators and representatives in congress, with a request that they will lay the same before their respective houses, and use their endeavors to procure the passage of a law to appropriate to the use of the state of Kentucky, for the purposes of education, such a part of the public lands of the United States as may be equitable and just.

All which is respectfully submitted.

[The report had not been acted on at the latest dates we have.]

University of Virginia.

The following memorial of the rector and visitors of the university of Virginia, composed by, and in the hand writing of that great and good man whose name is affixed to it, has been presented to congress.

To the senate and house of representatives of the United states of America in congress assembled.

The petition of the rector and visitors of the university of Virginia, on behalf of those for whom they are in the office of preparing the means of instruction, as well as of others seeking it elsewhere, respectfully representeth:

That the commonwealth of Virginia has thought proper lately to establish an university, for instruction generally, in all the useful branches of science, of which your petitioners are appointed rector and visitors, and, as such, are charged with attention to the interests of those who shall be committed to their care:

That they observe, by the tariff of duties imposed by the laws of congress, on importations into the United States, an article peculiarly inauspicious to the objects of their own, and of all other literary institutions throughout the United States:

That, at an early period of the present government, when our country was burthened with a heavy debt, contracted in the war of independence, and its resources for revenue were untried and uncertain, the national legislature thought it as yet inexpedient to indulge in scruples as to the subjects of taxation; and, among others, imposed a duty on books imported from abroad, which has been continued, and now is, of fifteen per cent. on their prime cost, raised by ordinary custom-house charges to eighteen per cent. and by the importer's profits to perhaps twenty-five per cent. and more:

That, after many years experience, it is certainly found that the re-printing of books in the United States is confined chiefly to those in our native language, and of popular characters, and the cheap editions of a few of the classics for the use of schools; while the valuable editions of the classical authors, even learned works in the English language, and books in all foreign living languages, (vehicles of the important discoveries and improvements in science and the arts, which are daily advancing the interests and happiness of other nations) are unprinted here, and unobtainable from abroad, but under the burthen of a heavy duty:

That, of many important books, in different branches of science, it is believed that there is not a single copy in the United States; of others, but a few, and these too distant and difficult of access for students and writers generally:

That the difficulty resulting from this mode of procuring books of the first order in the sciences, and in foreign languages, ancient and modern, is an unfair impediment to the American student, who, for want of these aids, already possessed or easily procurable in all countries except our own, enters on his course with very unequal means, with wants unknown to his foreign competitors, and often with that imperfect result which subjects us to reproaches, not unfelt by minds alive to the honor and mortified sensibilities of their country:

That, to obstruct the acquisition of books from abroad, as an encouragement of the progress of literature at home, is burying the fountain to increase the flow of its waters:

That books, and especially those of the rare and valuable character, thus burthened, are not articles of consumption, but of permanent preservation and value, lasting often as many centuries as the houses we live in, of which examples are to be found in every library of note:

That books, therefore, are capital, often the only capital of professional men on their outset in life, and of students destined for professions, as most of our scholars are, and barely able, too, for the most

part, to meet the expenses of tuition, and less so to pay an extra tax on the books necessary for their instruction: that they are, consequently, less instructed than they would be, and that our citizens at large, do not derive from their employment all the benefits which higher qualification would produce them.

That this is the only form of capital on which a tax of from 18 to 25 per cent. is first levied on the gross, and the proprietor then subject to all other taxes in detail, as those holding capitals in other forms, on which no such extra tax has been previously levied:

That it is true that no duty is required on books imported for seminaries of learning; but these, locked up in libraries, can be of no avail to the practical man, when he wishes a recurrence to them for the uses of life:

That more than 30 years experience of the resources of our country, prove them equal to all its debts and wants, and permit its legislatures now to favor such objects as the public interests recommend to favor:

That the value of science to a republican people, the security it gives to liberty, by enlightening the minds of its citizens, the protection it affords against foreign power, the virtues it inculcates, the just emulation of the distinction it confers on nations foremost in it—in short, its identification with power, morals, order, and happiness, (which merits to it premiums of encouragement rather than repressive taxes) are topics which your petitioners do not permit themselves to urge on the wisdom of congress, before whose minds these considerations are always present, and bearing with their just weight.

And they conclude therefore, with praying that congress will be pleased to bestow on this important subject the attention it merits, and give the proper relief to the candidates of science among ourselves, devoting themselves to the laudable object of qualifying themselves to become the instructors and benefactors of their fellow citizens.

And your petitioners, as in duty bound, shall ever pray, &c.

TH. JEFFERSON,
Rector of the University of Virginia.

Nov. 30, 1821.

Commerce with Sweden.

Extracts of a letter from Mr. Hughes, charge d'affaires of the United States at Stockholm, to the secretary of state, dated

"Stockholm, Sept. 6, 1821.

"I have the honor to transmit to you here with a translation of a note addressed to me by count 'd'Engestrom, on the 4th of September, informing me that the king had not merely exempted from the penalties of confiscation a cargo of salt, brought into this port by captain Allen of the American ship Ventrosa, from Liverpool, contrary to the provisions of the navigation law of Sweden, but had been pleased to permit the salt to be entered for sale, as if it had been imported in an English ship.

"Count d'Engestrom requested me, in conversation, to communicate to you the wish of the king, that a translation of his note on the subject, should be published in the newspapers of the United States, to prevent any such case occurring in future."

"Count d'Engestrom particularly enjoined me to request you to give publicity to the above case

"as the king feels a sincere desire to avert every thing that may embarrass the commercial relations of the two countries."

Translation of a note from count d'Engestrom, minister of state and foreign affairs at Stockholm, to Mr. Hughes, charge d'affaires of the United States at that place.

STOCKHOLM, Sept. 4, 1821.

The commercial house of Tottie & Arfoidson, of this place, have reported to this government that captain J. Allen, of the American ship Ventrosa, destined, in the first place, for Liverpool, and afterwards for Stockholm, after having discharged her cargo at Liverpool, took on board about 200 tons of salt, as ballast, for Stockholm; and they have petitioned, that, considering the ignorance of captain Allen of the ordinance that prohibits foreign ships from importing into Sweden any other productions than those of their own respective countries, the salt in question may be, on its arrival here, exempted from confiscation, and admitted into the country, on payment of the duties fixed on salt, which arrives from Liverpool in English ships.

The undersigned minister of state and of foreign affairs, hastens to communicate to Mr. Hughes, charge d'affaires of the United States of America, that the king, his august sovereign, always inclined to afford proof of his friendly dispositions towards the United States, has granted the prayer of Messrs. Tottie & Arfoidson, in favor of captain Allen.

But as the king, at the same time, judges it necessary that the citizens of the United States should be informed that it is prohibited to foreign vessels to import into Sweden any other productions than those of their own countries, respectively, the undersigned has, by order of his majesty, the honor to request Mr. Hughes, to be so good as to employ his good offices to the effect that the ordinance in question may be brought to the knowledge of the citizens of the United States, in a manner so public as to preclude the possibility, in future, of their being ignorant of it.

The undersigned profits of this occasion to renew to Mr. Hughes the assurance of his distinguished consideration.

COUNT D'ENGESTROM.

Commerce with La Plata.

From a letter from Buenos Ayres, dated 12th September, addressed to a mercantile house in Philadelphia, and published in the Aurora, we are indebted for the following documents.

Mr. Forbes lately detected a vessel with false papers and exposed her to this government; in consequence of which, she was seized, and probably will be condemned. Availing himself of this circumstance, he applied for the last mentioned regulation, which was immediately granted. Enclosed is part of the correspondence which has been published here. Few of our agents have been influenced by a stronger sense of duty, than Mr. Forbes, and no one has been treated with more respect by this government.

Agency of the United States of North America, Buenos Ayres, 24th August, 1821.

SIR—To secure the bona fide property of its citizens, is one of the primary duties of every government; and to this end, it is of the highest importance, that any, and all proceedings that have a tendency to blend it in appearance with foreign property, or tends to render the evidence of its

legitimacy suspicious or uncertain, should be most pointedly repressed. With these views, I have been charged by the government of the United States of America, to watch over the use, and to prevent the abuse within this province of the flag of any country; to endeavor that no vessel enter into the ports within my agency, as a vessel of the United States, which shall not be truly such; and that none shall be sold under that name, which has not a rightful claim to the national character. Confidently hoping, that his excellency, the governor and captain general of this province, will readily co-operate to the attainment of these honorable ends. I take the liberty, in pursuance of my instructions as well as the duties necessarily incident to my official character, most respectfully to solicit the following measures may be formally adopted and ordained.

First, That the necessary orders should be given to the competent authorities, that no vessel be permitted, in entering into, clearing, or departing from any roads or ports within this province, to assume the character or flag of the United States of America, unless such vessel shall be acknowledged by my me to have a right so to do.

Secondly, That notaries public should be enjoined to notify me of all transfers of vessels within this province, purporting to be vessels of the United States.

I avail myself with pleasure, of this occasion to renew to you the assurances of my most distinguished consideration and respect.

I have the honor to be, &c.

(Signed)

J. M. FORBES.

To the hon. Dr. Bernardino Rivadavia, minister of govt. and foreign affairs, Buenos Ayres.

Translation of the minister's reply to the foregoing. Buenos Ayres, 25th August 1821.

Agreeably to what the agent of the United States pleased to represent to me in his official letter, under yesterday's date, the government has resolved upon and ordered to be communicated to those whom it may concern.

First, That no vessel assuming the character or flag of the United States of North America, shall be permitted to enter, discharge, or depart from any roads or ports of this province, unless the right of such vessel be previously acknowledged by the agent of said states, resident in this city.

Secondly, That the principal notary of the government makes known to all notaries public, that previous to extending a contract of sale or transfer, of any vessel bearing the flag of the United States of North America, they give notice to the agent of said states; the expenses incurred to be paid by those concerned.

With this the minister of government and of foreign relations repeats to the agent, the assurances of his highest consideration and respect.

(Signed)

RIVADAVIA.

To John M. Forbes, esq. agent of the U. States.

CHRONICLE.

Died, suddenly, on Wednesday morning last, gen. Richard K. Heath, of the 14th brigade, Maryland militia—who, as a major of the 5th regiment, 3rd brigade, nobly did his duty in the defence of Baltimore, in 1814. He was interred yesterday with the highest military and civic honors.

Died, at Washington city, on the 1st inst. Mr. Thomas Claxton, door-keeper of the house of representatives for thirty-two years.—He was an ha-

nest man, and much respected at all times by the members, being ever treated as an equal rather than an inferior. His politeness and courtesy to strangers, who had business to do with members of congress, was remarkable—and no one that has not needed such courtesy can appreciate its value. His successor, Mr. Burch, we are pleased to believe, will steadily pursue the good and gentlemanly conduct of his predecessor; and few that have had business at the capitol are without reasons to respect him for services already rendered as assistant door-keeper. We notice this matter so much at length because we have personally experienced many attentions from the deceased and his successor. A morose, crooked fellow, in this situation, would be a public grievance.

Gen. Jackson. It is positively stated that gen. Jackson has resigned the government of the Florida—but the fact is not announced at Washington.

U. S. bank. In the North Carolina legislature, a committee has been instructed to enquire into the expediency of taxing the several persons, residents of that state, who own capital stock in the United States bank.

Bank of Missouri. A prospect is held out that the deposits of the United States, in this bank, at the time of its explosion, will be reimbursed.

Valuable cargo. The ship *Imperial* has arrived at New York from Havre de Grace, with many passengers, and a cargo of French goods valued at \$900,000.

Forgeries. Very successful imitations of the notes of the Philadelphia bank—of the old plate of Murray, Fairman, & Co. are in circulation. All of the notes of this bank of that plate [the dot instead of the line, in the work at the ends, as described in the Register sometime ago], should for the present, be refused—as well as all the \$5 notes of the Mechanics bank of New York, which are well counterfeited.

The west. A grist and saw mill, said to be equal to any west of the Alleghany mountains, have been erected at the Council Bluffs on the Missouri, for the supply of the troops, &c. The late harvest is said to have produced for them about 15,000 bushels of corn; they have also a considerable stock of cattle, hogs, &c.

Pennsylvania. The legislature of this state commenced its annual session on the Tuesday of last week. *Joseph Lawrence*, esq. of Washington county, was chosen speaker of the house of representatives, and gen. *William Marks*, of Alleghany county, speaker of the senate. *William Findlay*, esq. late governor, has been elected a senator of the United States by a great majority—for Mr. Findlay 83 votes, Isaac Wayne 18—and 22 votes given to seven other gentlemen. Total number of votes 123.

Maryland. Samuel Sprigg, esq. has been unanimously re-elected governor of this state—and Messrs. *Maulsby*, *Butcher*, *Nabb*, *Wilkinson*, and *N. Brewer* chosen for his council. Messrs. *Maulsby* and *Brewer* are new members in the place of Messrs. *Duval* and *Stephen* declined. *William Pinkney* esq. has been unanimously re-elected a senator of the United States for six years from the 4th of March last.

Kentucky. *James D. Breckenridge* is elected a representative in congress from the state of Kentucky, vice *Wingfield Bullock*, deceased.

Alabama. The legislature met at Cahawba on the 6th ultimo. Mr. *Dellet* was elected speaker,

and Mr. *Dodson* clerk, of the house of representatives. *John D. Furrel* was chosen president of the senate, and Mr. *Lyon* secretary. The members were said to be much alarmed at the sickness in the place, and a temporary adjournment was spoken of.

YALE COLLEGE. The students at this college amount to 324—viz: in the senior class 80; junior 74; sophomores 91; freshmen 79—also, 78 medical students.

PROGRESS OF CRIME. Several of our cities suffer exceedingly from the impositions of little boys and girls, who lie, and cheat and steal to an alarming extent—generally assuming the character of great distress, to excite sympathy or excuse a vagabond life. It appears as if there was a gang of them at Philadelphia, and there are some of the same class in Baltimore. The best way to correct this abuse, is to pay no attention to the applicants, or else to propose to go home with the little story-tellers, and witness the misery about which they are so eloquent. On manifesting a resolution to do this, the little wretches uniformly run away, or otherwise avoid an investigation. There is, no doubt, a great deal of real distress, and all should be prompt to relieve it—but it must be an extreme case indeed, that can justify a parent in giving his or her child a patent to become a vagabond or strumpet; as ninety nine hundredths of the children thus turned out upon the public eventually arrive at.

CHEROKEE SCHOOLS. Extract from the report of the rev. *A. Hayt*, of the progress of the schools in the Cherokee nation, under his superintendence, dated "Braunerd, Cherokee nation, Oct. 1st, 1821.

"There are belonging to the two schools taught in this place, ninety-six Cherokee children of both sexes, about two thirds males: all of whom are boarded, and many of them clothed, at the expence of the mission. Many promising children we have been obliged to reject or put by, until those now in school should be prepared to go out and make room for them, as we cannot accommodate, and profitably teach, more than we have had. Of those who attended school last year, three have finished their course and left the institution, and six others have left the school who could read and write. Twenty-four have entered the past year.

"At the local schools we board but few scholars, not to exceed eight or ten at each school, and at present, not more than four or five at Taloney. As some of the scholars who board at home have a great distance to walk, they are not all constant attendants, and the number of those who attend at all, is not so great as when the schools first commenced. The average number attending the two local schools, the year past, has been between forty and fifty. Public worship is attended at each of these schools on the Sabbath, at which, numbers of the parents, as well as the children, attend; and some have made a public profession of the Christian religion.

"The children of the schools continue to manifest an aptness to learn, a willingness to labor, and a readiness to submit to all the rules of the school. The Cherokees, we think, are fast advancing towards civilized life. They generally manifest an ardent desire for literary and religious instruction."

Here is an object a thousand times more deserving the attention of the humane, than nine-tenths of the societies got up for apparently charitable purposes in foreign parts, for the conversion of the Jews, &c.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 17—Vol. IX.] BALTIMORE, DEC. 22, 1821. [No. 17—Vol. XXI. WHOLE No. 537

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. FILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Attention is respectfully invited to the article on "the past, present and probable state of the treasury," inserted in the following pages. It offers some things to consideration which, I think, are more than usually interesting.

THE DOCUMENTS accompany the treasury report, inserted in our last, are given nearly at full length—because the facts stated in them are often useful for reference.

MATTER. We begin now severely to feel the want of room. In better times we were accustomed to do so by issuing gratuitous supplements—but, though this work maintains its circulation, its present receipts are very different from what they have been, and we cannot find means to issue many such supplements. Hence the affairs of the states, though both interesting and important, are not attended to so much just now as we wish that they should be. Several articles that we especially desired to publish this week, are, of necessity, omitted.

CONGRESS. The proceedings are yet unimportant, but we think that a disposition is evidently manifested to do business this session. We are careful to detail the most interesting resolutions submitted, as indicatory of the views of the members, and to shew the probable subjects of discussion. The refusal of the house to consider Mr. Cannon's resolutions about the army and military academy, go to shew a present disposition to let these matters rest as they are. Mr. Whitman's resolution, asking information relative to land transactions in Florida, has been laid on the table, by the vote of a large majority.

MONEY. The banks at Boston have changed the rate of interest, or discount, from five, back again to six per cent. It is said they were speculated upon, by other money lenders and capitalists.

WHO PAYS THE TAXES? Mr. Jefferson, as rector of the University of Virginia, has presented a memorial to congress to effect a reduction of the duties on books imported, and says "that the duty is now fifteen per cent. on the prime cost, raised by ordinary custom-house charges to eighteen per cent. and, by the importer's profits, to, perhaps, twenty-five per cent. or more."

Here is a lesson in political economy! What Mr. Jefferson says of books applies to every thing else. The United States give a credit on the duties, and the amount becomes capital to the importers, on which they calculate a profit like their original investment of money, and the consumer pays the whole. But there is nothing new in this—it has been many times stated to the people. It is a plain matter of fact. The remedies for it are, cash payments of duties; and a duty upon actions for the sale of foreign goods. Then, cash customers will come into the market fairly, and on a par with each other.

MARYLAND. We thank Mr. Simmes, of the house of delegates of this state, for following up an attempt heretofore made, to do away that part of our

constitution which requires every officer under it to swear or affirm, *that he does not hold himself bound in allegiance to the king of Great Britain.* A citizen of Maryland might now as well be required to make affidavit that he will not wear a ring in his nose, like the Indians that inhabited this land were in the practice of doing. I do not know whether I could, in conscience, make such an affidavit as our constitution requires. It is a ceremony that should not be rendered ridiculous.

FOREIGN NEWS. WE HAVE AN INTERESTING account of a complete revolution in all the provinces of Brazil. The prince royal had been shipped off from Rio Janeiro; and the governors, &c. sent away from Pernambuco, St. Salvador and Monte Video. The royalists made a stand at Pernambuco, but, about 100 of them being killed, they submitted to the majesty of the people. Provisional governments had been established, and every thing was apparently tranquil. All the ports were thrown open to commerce.

It is stated that *Artigas* was a prisoner at Buenos Ayres; and that there had been three governors of that city within three months!—every thing being unsettled.

In *Colombia*, it appears that gen. Morales yet makes a shew of opposition—but the royal cause is completely hopeless. *Porto Cabello* is the only important place, we believe, held by Spain.

The "Federal Republican," [Caracas papers having been received at that office], gives us the following account of glorious *Bolívar*, usually called the "liberator," who every day brightens in estimation. We are grateful, indeed, that now and then a patriot appears to shew us what men should be—

"On the 1st Oct. this extraordinary man, [*Bolívar*] on being called upon to take the oath as president of *Colombia*, addressed an eloquent letter to the president of the congress, earnestly desiring to be excused from serving in that capacity; but he was overruled by them. On taking the oath, he delivered an energetic speech, of which follows a curious sample: 'I am the son of war, the man whom battles have raised to the rank of hero. Fortune has sustained me in this battle, and she has confirmed it. But these titles, are not those which are consecrated by justice, by the welfare and the wishes of the nation. The sword, which has governed *Colombia*, is not the balance of *Astrea*: it is the scourge of the genius of evil, which sometimes heaven permits to descend to the earth, for the punishment of tyrants, and the admonition of the people. This sword will be of no use on the day of peace, and that shall be the last of my power; because thus I have sworn within myself; because I have promised it to *Colombia*; and because there can be no republic, when the people are not secure in the exercise of their own powers. A man like me, is a dangerous citizen in a popular government—is a direct menace to the national sovereignty. I wish to become a citizen, in order to be free, and that all may be so too. I prefer the title of citizen to that of liberator—because this emanates from war, and that from the laws. Exchange, sir, all my honors for that of a good citizen.'

The president's answer is full of the heartwarming eloquence, and overpowering sentiment, which distinguishes times of public trial and the eras of national regeneration.

Letters from Greece, state that the celebrated *Canova* has sent 200 workmen to Athens to restore the Pantheon [Parthenon] there. The building that yet remains, was erected by Pericles—the former temple of Minerva having been destroyed by the Persians when they became possessed of Athens. Its cost was about 650,000 dollars—but we must consider the value of money in that day to make an estimate of what such an edifice would cost now.

Cuba. The official account of the capture of a piratical vessel, was published at Havana. The whole crew of the pizaroon were either killed or wounded, with the exception of the famous Lafitte and three others, who escaped in the boat at the moment of boarding. At the same time, two prizes of the pirate were re-captured, together with some negroes, which had fallen into the hands of these plundering villains.

The rains had been so excessive as greatly to injure the crops, and nearly prevent a communication with the interior. *The custom-house at Havana was closed five days, in consequence of the excessive fall of it.*

THE PAST, PRESENT AND PROBABLE STATE OF THE TREASURY. A much esteemed friend, who recently complimented me on the statistical articles inserted in this work, was pleased, jocularly, to observe, at the same time, that he feared they were regarded by most of my readers like "*dry-sticks*"—if so, I have lost much of my labor. But I still hope and believe, that many are interested in the subject of political economy, and are not displeased with *political arithmetic*; though some, perhaps, prefer the lighter sort of reading which I occasionally throw into my "*Desultory remarks*," because it saves them the trouble of *thinking*. These are of a species of composition that a man may write as fast as he can drive his pen; and, if a word desired to express an idea, does not immediately present itself, there may be twenty others ready for use—but it is not so in statistics; figures are "*obstinate*," and will not yield up any thing to a writer's convenience: hence the progress with them is tedious and excessively laborious.

The late matters submitted to congress, as to the state and prospects of the treasury, seem to have delighted some persons as much as the news of Jackson's victory at New Orleans pleased me in 1815; and, really, I shall be delighted too, if the government is administered, for the future, with an annual saving of so many millions less than it has cost us in the last five years. The average of the expenditure, exclusive of the redemptions of the public debt, has been nearly twenty millions; it is now put forth that sixteen will be sufficient as aforesaid, and we are truly glad even to hear it, though we do not know in what such great retrenchment has been made.

The late treasury report is hailed as "*glorious*," and complimented in the most extravagant stile, by some that never have read it, and have much less taken the trouble to understand it, because of its general aspect, that we shall not have to borrow money or impose new taxes for revenue, until for the service of the year 1825! But I hold a different opinion—because I cannot find that any one of the treasury estimates has conformed to the facts which resulted, as is abundantly shewn below, and for other reasons given in this article.

For the use of those who desire to *understand* these matters, I have taken a review of the different treasury reports since that of 1817, inclusive.—Great care has been exerted that the subjects presented should be put down faithfully; and the whole has been twice examined by the documents—but if any item is doubted, a ready reference is given to the documents themselves. It is hardly to be expected that such an exhibit as I shall furnish, should be free of mistakes,—for mistakes, or errors, are made even by the secretary of the treasury himself—but I venture to say, generally, that every thing set forth is correct if the documents themselves are so. Nothing is stated in opposition to Mr. Crawford, unless by a difference of opinion as to the future; I have simply opposed what he said one year to what he said in other years; nor is there in this the least spark of personal opposition—its object is only to shew the miserableness of the *system of revenue* which is relied upon, so productive of misery to both government and people by its fluctuations, because it depends on the crimes or distresses of foreign nations, or the whims and caprices of their rulers—not on the people of the United States.

The secretary of the treasury when in the senate, was generally esteemed as a gentleman of superior talents, and he is spoken of as being very industrious and attentive to business; and many who ought to know him best, are loud in their encomiums on him as an upright and good man: still there are others, and among them I know of some of his most decided friends, who think he is out of his element at the head of the treasury—because that its nature and business are not among the habits of his former life, calculated rather for action on emergencies as they occur than prospective operations. It was said of the mild, accomplished and elegant *Addison*, and of the witty and learned, but eccentric *Swift*, that great mistakes were committed when the former was made a secretary of state and the latter a minister of the gospel. If this saying has just in regard to these great men, it cannot be imputed as an offence to Mr. Crawford, in the estimation of his warmest personal friends, to say that he might shine more in other situations, though more important in the public esteem, than in that of secretary of the treasury.

References to documents quoted.

Annual treasury report of Dec. 5, 1817—REGISTER vol. XIII, page 241; the same of Nov. 20, 1818, vol. XV, p. 256; the same of Dec. 10, 1819, vol. XVII, p. 260; the same of Dec. 1, 1820, vol. XIX, p. 228; the supplement thereto, same vol. p. 299; annual report of Dec. 10, 1821, present vol. p. 249. Report of the committee of ways and means of April 1820, vol. XVIII, p. 141; the same of 1821, vol. XX, p. 39.

The last annual treasury report is chiefly used at present to finish a few items—we shall, probably, examine it more minutely hereafter.

Public debt.

In the report of 1817, the secretary of the treasury told us, that the surplusses of the sinking fund, from the year 1819 to 1825, would not only redeem the amount of public debt payable to and in the latter year, (19 millions in 1825), but go on to operate to the *extinction* of the whole debt of the United States in the year 1830!—and, to keep the surplusses of that fund from being *idle*, he suggested the propriety of authorizing the commissioners to make purchases of stocks at rates above par. "If that surplus," says he, "could be annually invested early in every year, it would produce a saving to the na-

tion of not less than four millions of dollars, *between the first day of January, 1820, and 1825!*" In this wonderful state of prosperity, the president decisively recommended a repeal of the internal taxes—it was not possible that their proceeds could be wanted; and the secretary triumphantly observed, "it is not presumed that taxes will be imposed and collected for the *express purpose* of purchasing the funded debt above its nominal value!" All the debt reimbursable had been paid off, and it was a great pity, indeed, that more was not within the reach of the secretary, for he had a *surplus* of six millions of dollars lying in the treasury. Estimated amount of the public debt, Jan. 1, 1818, 98,869,096 dollars.

2. In the report of 1818, the secretary already begins to feel himself cramped!—he had had uses enough for the money that he was contriving ways and means to dispose of last year: he seems to lament the repeal of the internal taxes, by making a most honorable mention of what they produced, and calculates on a *deficiency* in 1819—suggesting "a resort to temporary loans or an issue of treasury notes" to meet it, as preferable to the imposition of new taxes, *which would not be required after that year!* We should have money enough and to spare after 1819. Estimated amount of the public debt, Jan. 1, 1819, \$92,595,393—the reduction being about equal to the surplus that remained in the treasury from the last year.

3. The report of 1819 shows that the treasury was much embarrassed—the balance to be left therein, at the end of the year, was only 334,994 dollars! To assist in the operations of the ensuing year, he suggested that the surplus of the sinking fund, (which, according to his report of it in 1817, two years before, was to do such mighty things), should be used to meet the current expenses, if it were "ALLOWABLE" to divert it from the purposes to which it was pledged by the act. An increase of receipts is spoken of as being expedient, and we are told, that, "whether the revenue be augmented or the expenditure diminished, a loan to some extent will be necessary," though the secretary had wished, in 1817, for leave to buy the stocks at rates above par, and save four millions by that procedure, "*between the 1st day of January, 1820 and 1825!*" A loan of three millions was granted for the service of 1820. Estimated amount of the public debt, Jan. 1, 1820, \$88,885,203.

4. The report of 1820, together with its supplement and explanation, is very long and intricate, and certain great errors or mistakes were made, about which we spoke sufficiently at large last winter. The treasury was as hard run as a poor fellow who gets his notes shaved at 3 per cent. per month, though aided by the surplus of the sinking fund and the sum of three millions borrowed. The fragment of the Louisiana debt, which was payable on the 30th September, the secretary had failed to pay at the date of his report (Dec. 1), and there was a balance *against* the treasury on the 1st Jan. 1821, of \$2,638,169. The operations of the ensuing year were put forth in a most melancholy aspect: it was estimated that the balance against the treasury, on the 1st Jan. 1822, would amount to the enormous sum of 7,451,586 dollars—but this amount was reduced to 4,658,483 by the "supplementary report," after taking up all the surplus of sinking fund beyond the payment of interest, and some very small redemptions of principal.

The amount of the debt at the end of this year is curiously stated, and we knew not which item to take: It stands first in the report at \$91,680,089—

but "if" the residue of the Louisiana debt, (due two months), should be paid in the then current month, it would be, on the 1st of January, 1821, \$88,214,336; but the table attached to the report of 1821, (see page 265), gives its amount on that day as being 91,294,416—and this was its true amount; the "if" item about the Louisiana stock being passed by as nothing, and the redemption of 249,444 dollars of the deferred stock being deducted from the amount *first* given. The sum of five millions was borrowed this year to eke out the ways and means of 1821.

5. The report of 1821, just presented to congress, is highly complimented, and the secretary thinks that he can get along until 1825 without borrowing any money or imposing new taxes, about which we are congratulated not a little—we shall see how it is before the end of the session, perhaps. The estimated amount of the public debt on the 1st of Jan. 1822, is given at 93,423,605 dollars, or 2,129,189 dollars more than it was on the 1st of Jan. 1821; but the president informs us in his late message that the increase is no more than 1,528,266, and the difference between him and his secretary is 600,923 dollars. My estimate was that the debt would amount to one million more on the 1st Jan. 1822, than the secretary has calculated it at. The operations of this year shew a balance in the treasury of 1,777,648 dollars on the 1st Jan. 1822, and the estimate of receipts and expenditures, for that year, shew an estimated balance on the 1st of Jan. 1823, of 671,375; but whether either of those balances are *available*, or to what amount, we are not informed. By the supplementary report last year, we understood that the *special* deposits (that is, uncurrent bank notes or the notes of broken banks) amounted to upwards of 600,000 dollars—how much of this amount has been received? The Vincennes bank and the Missouri bank, in which our deposits were 2 or \$300,000 more, have failed since—a hope is entertained that an ultimate loss will not be sustained by either of these, but when will they pay us our money? The balance calculated to be in the treasury on the 1st of Jan. 1823, even if available, is much less than it has been thought prudent to keep in reserve. No part of the public debt is redeemable in the years 1822, 3 or 4, unless some little items of the deferred stock are yet unsatisfied.

The financial operations of the five years may be thus summed up—

The public debt, on the 1st Jan. 1817,	was	\$115,807,805
Ditto	1822, is	93,423,605
Redeemed in five years,		22,384,200
The means for this redemption and the support of government were as follows:		
Balance in the treasury 1st Jan. 1817,		11,295,592
Receipts of that year to Jan. 1818,		24,387,985
— of the year to do. 1819,		26,095,200
— do. 1820,		21,435,700
— do. 1821,		15,284,546
— do. 1822,		14,814,475
Loan of 1820,		3,000,000
— 1821,		5,000,000
		8,000,000
		121,513,496
Deduct debt redeemed		22,384,200
		99,129,296
Divide by		5
Average annual cost of government,		\$19,785,959

The estimated receipts for the year 1822, are 16,110,000 dollars, nearly four millions less than, for the last five years, we have annually expended for the payment of interest on the national debt and the various requisitions on the public purse, exclusive of the amount paid to redeem the debt. It will be a pleasing thing, indeed, if this amount proves sufficient—for it will shew the operation of a great economy. But really, I do not know how it is that the cost of government, the three succeeding years, will be four millions less per annum than it was in the 5 antecedent years.

If the reader will turn to the treasury report of 1817, or refer to the substance of it as given above, he will observe that the secretary calculated that the surplusses of the sinking fund, which would accrue between the first days of Jan. 1820 and 1825, as abundantly sufficient to meet the payment of the 19 millions of debt due in the latter year; but, for the service of 1820 and 1821, we have used what should have been the surplusses of that fund, and besides borrowed eight millions; and now, heaven help us!—we are congratulated that we may not have to borrow money to pay current expenses until the said year of 1825, and amused with a project to pay the debt due in that year, which bears an interest of 6 per cent. by borrowing other money to bear an interest at 5 per cent.—“if the 5 per cent. stock should remain above par,” and we are told of the saving that may thereby be made! What precision in calculation! The real, substantial difference between the secretary's estimates in 1817 and the facts he sets forth in 1821 (only four years a-part) may be represented thus—

There was to be deemed of the public debt in 1825, after paying all other demands on the government, the sum of	19,000,000
We have already borrowed	8,000,000
Present positive difference	\$27,000,000

And, with all my respect for the character of the president, (which in truth is great), and for the elaborate calculations of the secretary, I verily hold an opinion that *something*—I know not what, will be put forth on which a loan will be required even at the present session of congress, or else that the treasury will be more than exhausted before this time next year, when another compliment may be paid to the “forbearance” of the public creditors, as in the case of the wretched fragment of the Louisiana debt, in 1820. I think, also, that though no part of the public debt is payable until 1825, (except some insignificant amounts of deferred stock), we shall have to borrow every year to the year 1825, unless the revenue is increased by new taxes, or the expenditure diminished by new and actual retrenchments. My reasons for this opinion are—

1. That, with Europe at peace, and the present rate of exchange on England standing against us, the present means of raising a revenue will not produce more than 13 or 14 millions a year, if so much:—

2. To raise the revenue, say 12 millions by impost, we must export domestic products to the amount of nearly or about 60 millions a year, to purchase the goods on which the impost is laid and pay the interest on our various stocks held in Europe—which latter, as things are now conditioned, is a dead loss to the nation. What have we to export to such an amount? The carrying trade, which yielded employment for our people and afforded a great profit for their labor, is at an end:

to many places, we are not even the carriers of our own commodities.

3. The average expenditure of government has been nearly 20 millions, exclusive of redemptions of the public debt—in what have so large reductions of cost been made that we can do with 6 or 7 millions less?—The interest on the public debt is nearly the same that it was, and the military and naval departments, including all their ramifications, may cost us 2½ or 3 millions less than heretofore—but 2½ or 3 millions is not 6 or 7 millions—the supposed deficiency of comparative receipts.

But I shall sincerely rejoice if the diminished revenue meets the expenditure.—It will make it appear as if we were returning to the condition of things that existed during *Thomas Jefferson's* administration, though not afford a compliment to the transactions of the last five years, as to money-matters.

One thing more, and I shall conclude this branch of my remarks. In 1817, the secretary told us that the whole of the public debt would be extinguished in the year 1830—when does he calculate upon paying it off now? If the system of revenue was a good one, what has occurred to destroy it?—we have had profound peace, and several of the messages of the president told us that we were prosperous. Where, then, is the wisdom on which such calculations were founded? We now proceed to examine the estimates, &c. to shew the dependence that may be placed on such things.

Revenue—estimates and receipts.

1. In the report of 1817, the “permanent annual revenue” was estimated as follows:

Customs	20,000,000
Internal duties	2,500,000
Public lands, (exclusive of those in Mississippi and Alabama),	1,500,000
Bank dividends—7 per cent.	490,000
Postage and incidentals	35,000

\$24,525,000

2. In the report of 1818, it appears that the total amount received (by estimate) in that year, was 22,167,862—2,357,135 less than what was deemed “permanent” in the preceding year; yet the actual receipts of that year were 26,095,200! The revenue for 1819 was estimated thus:

Customs	21,000,000
Public lands (exclusive as above)	1,500,000
Bank dividends and bonus	920,000
Internal taxes	750,000
Postage, &c.	50,000

\$24,220,000

¶ The revenue received from the customs in 1818, was 21,828,451 dollars; and the secretary, in his report of the 21st Nov. 1818, says—“It is presumed that the revenue which shall accrue during the present year from IMPORTS and tonnage may be considered as the average amount which will be annually received from that source of the revenue.”

Supposed annual average amount, as

above,	21,828,451
Real product in 1819	17,116,702
Real product in 1820	12,449,556
Estimated amount in 1821	13,068,394

The reader will observe the differences between the calculation of 1818, and the facts of the other years put down.

But—

In 1815 the customs produced	36,303,231
1816	27,569,760

With such fluctuations, it is just as impossible to expect a settled wholesome legislation, as to hope to "lade out lake Ontario with a horn spoon."—There cannot be steadiness in the proceedings of government, to accomplish any great undertaking, while the means are thus uncertain. At one time, revenue is so abundant (no matter what it costs the nation to obtain it), that hundreds of persons are engaged in contriving schemes to spend it—those who have charge of it hold it with a loose hand, and persons that would remain honest, if reasonably held responsible, are tempted to steal from or default the people out of their cash, by which we have lost millions on millions: then down goes the revenue, and a different conduct, in some respects, is so far pursued as to derange the best devised plans to benefit the country, and dismiss the persons to whose charge they are entrusted. There cannot be dignity in such a state of things. It is useless to hope that our institutions can be maintained in the simplicity of truth and purity of republicanism, while, in fact, even the payment of the president's salary depends on the proceedings of foreigners. Yet we are consoled by a suggestion in the "National Intelligencer," that "the customs must, probably, for half a century to come, be the main reliance of the government for revenue." But we have no faith in this suggestion.

3. In 1819, the amount of revenue received was 21,435,700—or 2,784,300 less than it was estimated at in the report of 1818. The estimates for 1820 were as follows:

Customs	19,000,000
Lands, (as before)	2,000,000
Arrears of internal taxes	450,000
Bank bonus	500,000
Incidentals	50,000
	22,000,000

Shewing an estimated falling off of nearly three millions in the customs; though, in the preceding year, it was believed that they would annually average almost 22 millions, they are now estimated at only 19—and the secretary suggests the idea of imposing new taxes, requiring, also, a consumption of the surplus of the sinking fund, and demands a loan.

4. The report of 1820 shews a total estimated receipt in this year of 20,249,637 dollars, from which the product of the loan being deducted, falls short by the great sum of 4,295,794 of the estimates given for this year in the report of the preceding one! The customs in 1820 produced only 12,449,556—less by six and an half millions than they had been estimated at in the previous report; less by almost nine millions and an half than their average annual product had been calculated at by the report of 1818! The estimates for the year 1821 were rendered thus—

Customs	14,000,000!
Public lands, (exclusive of Mississippi stock)	1,600,000
Arrears, &c. of taxes and incidentals	100,000
Last instalment of bank bonus	500,000
Bank dividends	350,000
	16,550,000

Less, by the sum of eight millions, than had been calculated upon as the "permanent revenue" in 1817—less, by five and a half millions, the product of the internal taxes being deducted from that estimate; less, even by nearly five and a half millions than, in 1818, the secretary had expected to derive from the average of the imposts alone; and, the trea-

sury presented a most "beggarly account of empty boxes," as noticed in the preceding article on the public debt.

5. By the report of 1821, it appears that the receipts will amount to 14,814,475 dollars, exclusive of the product of the loan of five millions, or less in the sum of 1,735,525 than it was estimated at for this year, in the preceding report. The receipts for 1822 are calculated at 16,110,000: what their amount will be—we may know, if we live, by this time next year—but if the rate of exchange keeps up, I have no hesitation in saying that they will fall short in the sum of at least two millions. These are the estimates for 1822:

Customs	14,000,000
Public lands	1,600,000
Bank dividends	350,000
Arrears of direct tax, &c.	75,000
Moneys recovered out of advances	60,000
Incidentals	25,000

\$16,110,000

If the reader will please to carry in his mind these different estimates and results, as presented in the different reports, he may form a tolerably correct idea of the value of a treasury estimate "in these our days." It is true, the secretary ought to have foreseen that we could not continue to import more foreign goods than our domestic produce, exported, would pay for—but the great fault lies in the system itself, for the revenue depends on foreigners, and not on ourselves; and "Old Nick himself" cannot calculate what aid the said foreigners will be pleased to extend to us that we may purchase their goods for the purpose of raising a revenue on their domestic consumption.

Recapitulation of calculations and facts.

	Calculations.	Product.	Difference.
For 1818,	24,525,000	26,095,200	1,575,520
1819,	24,220,000	21,435,700	2,784,300
1820,	22,000,000	15,284,546	6,715,454
1821,	16,550,000	14,814,475	1,735,525

Divide by 4 years,)12,710,799

Average ANNUAL difference! 3,177,699

I shall now pay my respects to the reports of the committee of ways and means, for the years 1820 and 1821, to see how they agree with themselves, how they accord with the estimates of the secretary of the treasury, how nearly they conform to the facts since made known to us.

Report of April 14, 1820.—The committee shew that the deficiency for the service of this year is only 3,773,498; but that, deducting the surplus of the sinking fund, the actual deficit would be reduced to 1,485,001 dollars. They recommended the use of this surplus "DEPRICATING A REFERENCE TO A LIKE RESORT," and proposed a loan of two millions to keep things straight, which that sum would easily do to the end of this year! Now, the surplus of the sinking fund was used and three millions borrowed, and yet the secretary shewed a balance against the treasury, for the services of 1820, of 2,638,169—(see report of Dec. 1, 1820)—the difference of calculation and result is thus shewn:

Actual deficit at the end of the year 1820	2,638,169
Money borrowed	3,000,000
	5,638,169
Committee's supposed deficit	1,485,001

Real difference, \$4,153,168

This committee, at the same time, made an estimate of the receipts and expenditures of 1821; the receipts were stated as follows:

Customs	16,000,000
Lands	3,000,000
Arrears of taxes, &c.	250,000
Dividends on bank stock	420,000
Incidentals	50,000

\$19,720,000

Now, the late report of the secretary of the treasury shews us that these sources of revenue produced only 14,814,475 dollars—or, say, five millions less than the estimate of the committee of ways and means. Difference between calculation and fact, about one third!

The deficiency of the year 1821 is thus calculated—

By the secretary in his annual report	
Dec. 1, 1820	7,451,586
By the same in his supplementary report	4,658,480
By the committee of ways and means	3,655,000

It is useless to offer a comment on these items; they speak intelligibly for themselves.

Report of Feb. 28, 1821. The committee make another estimate of the receipts of 1821, thus—

Customs	15,005,328
Lands	800,000
Bank dividend	350,000
Arrears of taxes and incidentals	200,000

Total available means of 1821 \$16,355,328

Differing from the estimate made ten months before, in the sum 3,364,672, being that amount less, but exceeding of the sum actually received by 1,540,834—and this, too, in their amended report, for they, also, had made a former report on the 5th of the same month.

It is unnecessary, it might even prove disgusting, to pursue these comparisons any further, and besides, it is said that "*comparisons are odious*"—but it is only through them that the truth is to be arrived at. We shall dismiss this subject, with another reference to the report of the committee of ways and means of 1820.

The committee shew, "right plainly," that the "sinking fund" during the years 1821, 2, 3 and 4, would leave a balance of 21,342,058 dollars that could not be applied "to the principal of the debt in any other way than by purchase"—whereupon they suggest a use of the surplus of that fund, which might "remain unexpended on the 31st December, 1820," never intending to do the like again!—no, by no means!—for the surplusses of this fund was to pay the nineteen millions of debt due in the year 1825, and to do that so neatly! But in 1821 the usual appropriation of ten millions was not made, and of course there was no surplus, nor does the secretary calculate on such an appropriation for 1822—he means only to pay the interest on the debt—so that, already in two years, the above balance of 21 millions that was to pay the debt of nineteen millions, is reduced in the sum of nine millions!—but, indeed, the idea of the usual appropriation of ten millions, on which the calculation of the committee rested, is wholly exploded as obsolete.

A few remarks on what has been said and done about the Louisiana stock, and I shall close this article, proposing to speak of the Mississippi stock hereafter.

Louisiana Stock.

1. In the report of 1817, the secretary regretted that the whole of this stock was not redeemable

until 1819—he wished for power to redeem it in 1818, and settle the concern by a single dash of his pen!

2. In the report of 1818, we learn that a moiety of this stock, unpaid on the 1st Oct. 1818, had been redeemed or provided for, amount 4,977,950. Nothing is said about the other moiety, which, last year, it was so much desired to pay off at the same time.

3. In the report of 1819 we understand that *fifty-four per cent.* of the residue of the Louisiana stock has been paid or provided for—no reason is assigned why the balance has not been redeemed, though so anxiously wished for in 1817.

4. By the report of 1820, it appears that the miserable fragment of this debt, *though due*, had not been paid, and the holders of it are complimented for their "*forbearance*" in not pressing their rightful demand! "*Forbearance*" for the sum of two millions!

5. In the report of 1821 we see that this stock has at last been paid off—we trust, now, that there is an end of it, for which, indeed, we are thankful. Poor thing!—it had been bandied about so much through the treasury reports, that it was difficult to recognize its features, know its size, or tell exactly "where abouts" it was!

TOWNS IN MASSACHUSETTS. Boston contained at the last census, 43,298 inhabitants, of whom 1768 were foreigners not naturalized, and 1690 free blacks: 52 persons engaged in agriculture; 2475 in commerce, and 2588 in manufactures.

The following are the other towns in Massachusetts having more than 2000 inhabitants.

Salem	12,791	Northampton	2854
Nantucket	7266	Wrentham	2801
Newburyport	6852	Reading	2797
Charlestown	6591	Seekonk	2775
Gloucester	6384	Pittsfield	2768
Bridgewater	5670	Rehoboth	2740
Marblehead	5630	Fairhaven	2733
Middleboro'	4687	Westfield	2668
Taunton	4520	Westport	2633
Lynn	4515	Ipswich	2555
Plymouth	4348	Dedham	2493
Beverly	4283	Sandwich	2484
Roxbury	4135	Sheffield	2476
New Bedford	3947	Belchertown	2426
Springfield	3914	Weymouth	2407
Andover	3889	Duxbury	2403
Barnstable	3824	Falmouth	2370
Dorchester	3684	Brookfield	2392
Newbury	3671	Mendon	2254
Danvers	3646	Yarmouth	2232
Dartmouth	3636	New Salem	2146
Scituate	3305	Charlton	2134
Cambridge	3295	Monson	2126
Haverhill	3074	Barre	2077
Attleboro'	3055	Sutton	2056
Rochester	3034	Farmingham	2037
Worcester	2962	Williamstown	2010
Hingham	2857	Salisbury	2006

CRIMINAL LAWS. A correspondent asks "would it be practicable to give the substance of the criminal laws of the several states in the Register? It is a subject," he adds "of vital importance to the welfare of the United States—not to make use of proper means to prevent crimes is to encourage their commission."

To the question we have only to say, that we do not think it "practicable" to accomplish the object. It would demand an extensive cor-

response with persons in the different states, and few that are able to accomplish the purpose, have the leisure or will to enter upon a task requiring so much labor.

NAMES! The New Haven Journal lately gave the name (or names) of a citizen of Connecticut, as follows—*Mahar-Shalah-Hashbash Polycarpus-Nelson Scofield*, the latter being the surname. The Norfolk Herald matches it by a name signed at that place, by the master of an eastern vessel several years before, to an official paper, which run thus—*Through-Much-Tribulation-We-Enter-Into-The-Kingdom-Of Heaven Clap*. The man said that when a child, his mother used to call him *Tribby* for shortness!

Annual Treasury Report.

Extracts from, and abstracts of, the documents accompanying the annual report of the secretary of the treasury—page 249.

A.												
A statement exhibiting the amount of duties which accrued on merchandise, tonnage, passports and clearances; and of debentures issued on the exportation of foreign merchandise; of payments for bounties and allowances; and of expenses of collection, during the years 1818, 1819 and 1820.												
Years.	Duties on			Debentures issued.	Bounties and allowances.	Gross revenue.	Expenses of collection.	Nett revenue.				
	Merchandise.	Tonnage, &c.	Passports, &c.									
1818	25,798,490 79	260,878 81	14,030 00	3,343,938 08	154,587 89	22,574,875 63	746,422 15	21,828,453 48				
1819	21,228,683 28	131,217 51	8,640 00	3,301,812 42	167,100 01	17,899,628 36	782,925 40	17,116,703 96				
1820	16,533,390 92	168,827 96	10,528 00	3,266,965 34	209,003 39	15,316,778 15	767,222 00	14,549,556 15				
A.—continued.												
A statement exhibiting the amount of American and foreign tonnage employed in the foreign trade of the United States, for the years 1818, 1819 and 1820, as taken from the records of the treasury.												
Years.	In foreign trade.			Proportion of foreign tonnage to the total amount.								
	American.	Foreign.	Total.									
1818	755,101	161,413	916,514	17.6 to 100								
1819	783,579	85,554	869,133	9.8 to 100								
1820	801,353	79,204	880,457	8.10 to 100								

A—continued.

A statement exhibiting the value and quantities, respectively, of merchandise on which duties actually accrued during the year 1820, (consisting of the difference between articles paying duty imported, and those entitled to drawback, re-exported); and, also, of the nett revenue which accrued that year from duties on merchandise, tonnage, passports and clearances.

MERCHANDISE PAYING DUTIES AD VALOREM.

509,237 dollars, at 7½ per cent.	35,360 48
9,407,288 : 15 :	1,411,093 20
2,400,789 : 20 :	480,157 80
8,980,075 : 25 :	2,245,018 75
831,098 : 30 :	249,329 40
22,128,487	4,420,959 63

Articles paying specific duties.

1. Wines, 1,754,322 galls.	
at 27.9 cts. average	6,490,573 50
2. Spirits, 3,928,996 galls.	
at 44 cts. average	1,728,565 81
Molasses, 10,786,905 galls.	
at 5 cts. average	539,345 25
3. Teas, 4,891,447 lbs.	
at 32.6 cts. average	1,568,414 32
Coffee, 13,291,857 lbs.	
at 5 cts. average	664,592 85
4. Sugar, 51,537,888 lbs.	
at 3.6 cts. average	1,575,345 23
5. Salt, 4,019,569 bushels	
at 20 cts. average	803,913 80
6. All other articles	1,146,800 34
	8,517,551 10

Dollars, 12,938,510 73

Deduct duties refunded, after deducting therefrom duties on merchandise, the particulars of which could not be ascertained, and difference in calculation,

57,086 04

\$12,881,424 69

2½ per cent. retained on drawback,	91,602 33
10 per cent. extra duty on merchandise imported in foreign vessels,	34,542 20
Interest and storage,	29,852 97
	155,997 50

Duties on merchandise,	\$13,037,422 19
Duties on tonnage,	155,021 16
Light money,	13,806 80
	168,827 96
Passports and clearances,	10,528 00

Expenses of collection,	13,216,778 15
	767,222 00

Nett revenue, per statement A. \$12,449,556 15

Explanatory statements and notes.

1. Wines.

Madeira	96,927 galls. a 100 cts.	96,927 00
Champaign, &c.	7,853	7,853 00
Sherry, &c.	6,645	3,987 00
Lisbon, &c.	193,908	96,954 00
Teneriffe, &c.	248,805	99,522 00
Claret, &c.	35,112	10,533 60
All other	1,164,711	174,706 65
Do.	361	90 25

1,754,322 av. 27.96 \$490,573 50

2 Spirits.			
Grain, first proof	363,189 gals. a	42 cts.	152,539 38
second	49,477	45	22,264 65
third	2,628	48	1,261 44
fourth	1,539	52	800 28
fifth	2,261	60	1,356 60
Other, second	606,494	38	230,467 72
third	1,245,976	42	523,309 92
fourth	1,646,338	48	790,242 24
fifth	11,094	57	6,323 58

3,928,996 average 44 1,728,565 81

3. Teas.			
Bohea	163,226 lbs a	12 cts	19,587 12
Souchong	1,253,164	25	313,291 00
Hyson Skin, &c.	1,485,116	28	415,832 48
do & Young do	1,757,210	40	702,884 00
Imperial	232,731	50	116,365 50

4,891,447 1,567,960 10

Extra duty on teas imported from other places than China			454 22
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4,891,447 av. 32.06 1,568,414 32

4. Sugar.			
Brown, &c.	48,617,029 lbs. a	3 cts.	1,458,510 87
White, &c.	2,920,859	4	116,834 36

51,537,888 \$1,575,345 23

5. Salt.			
Imported, bush.	5,081,716 a	20 cts	1,016,343 20
Exported	17,130		

Bounties and allowances reduced in- to bushels at 20 cts.	1,045,017	1,062,147	212,429 40
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4,019,569 803,913 80

6. ALL OTHER ARTICLES.

[To save room, we shall make an abstract of this article, sufficiently extensive, however, to serve almost every purpose of a reference. Ed. Reg.]

D-y goods—Duck, Russia 26,859, ravens 16,185, Holland 1814; sheetings—Russia 14,738, white 643 pieces.

Beer, ale and porter in bottles and casks 57,760; oil—spermaceti 7,901; whale and other fish 473, olive 7,285 gals.

Cocoa 777,732, chocolate 2029—sugar candy 3347, loaf and other refined sugar 1461 lbs. raisins, jer, &c. 934,840, other 1,030,108—almonds, currants, prunes and figs, about 200,000 lbs. each. Candles—tallow 44,304, wax 1045; cheese 73,118; soap 39,989; tallow 1,886,722 lbs.

Mace 330, cloves 19,547, pepper 194,155, piment to 263,799, cassia 88,200 lbs.

Tobacco, manufactured 503; indigo 122,729; gun powder 59,912; bristles 44,339; glue 54,647 lbs.

Paints—ochre dry and in oil 197,475, white and red lead 3,037,786, whiting, &c. 72,216 lbs.

Lead—pig, bar and sheet 2,202,920; manufactures of and shot 2,055,478 lbs.

Cordage and twine 737,446; copper, in rods and belts, nails and spikes 34,945 lbs.

Iron—wire, No. 18, 120,284, above No. 18, 7,582; tacks, various, 23,506, nails 220,682, spikes 38,625, anchors 79,252 lbs. Pig iron 6,514, cast 6,202, bar and bolt rolled 59,385, hammered 389,797, sheet, rod and hoop 12,520 cwt. Steel 7,802 do.

Hemp 93,707; alum 1,283, copperas 540 cwt. Coal 673,711 bushels.

Fish—small quantities, except 1,373 bbls. salmon—Glass—bottles 9,379 groce; window, 6,201, 100 sq. feet.

Boots, shoes and slippers, various, 6,151 pairs.

Cigars 5,364 M. Playing cards 2,113 packs.

"Deduct excess of articles exported beyond the importation"—nutmegs 366, cinnamon 6,328, snuff 49,733, cotton 246,985 lbs. Boots 411 pairs.

(B.)

Statement of moneys received into the treasury from internal revenue and other objects, during the year 1820.

From arrears of internal duties (new) \$104,172 07

Direct tax 31,286 82

Old internal duties 2,088 46

Old direct tax 300 00

From postage of letters 6,465 95

Fees on letters patent 3,720 00

Cents coined at the mint of the U. States 32,820 50

Fines, penalties and forfeitures 105 97

Nett proceeds of prizes captured by public armed ves-

sels 8,004 76

Return passage money of American seamen 10 00

Interest on balances due by banks to the United States 144 00

Sale of public lots in the city of Washing-

ton 10,000 00

Second and third instalments payable by the bank of the U. States 1,000,000 00

63,659 64

\$1,199,118 53

TREASURY DEPARTMENT,

Register's office, November 12, 1821.

JOSEPH NOURSE, Register.

(C.)

Statement of moneys received from the sales of public lands during the year 1820.

From Washington, Mississippi,	116,104 31
Huntsville, Alabama	62,586 43
St. Stephens do.	70,308 25
Cahaba do.	298,130 97
Cincinnati, Ohio	133,694 55
Chillicothe do.	36,689 62
Zanesville do.	71,106 22
Steubenville do.	42,143 41
Wooster do.	60,912 09
Marietta do.	12,795 38
Delaware do.	37,819 35
Piqua do.	3,100 00
Jeffersonville, Indiana	148,832 26
Vincennes do.	133,610 80
Brookville do.	117,980 36
Shawneetown, Illinois	37,782 53
Kaskaskia do.	67,073 34
Edwardsville do.	29,499 28
Franklin, Missouri	89,075 59
St. Louis do.	59,569 91
Detroit, Michigan	7,056 96

Dollars, 1,635,871 61

TREASURY DEPARTMENT,

Register's office, Dec. 11, 1821.

JOSEPH NOURSE, Register.

(No. 1.)

<i>Statement of the debt of the United States, 1st October, 1820.</i>	
Deferred stock (unredeemed amount)	2,309,296 91
Three per cent.	13,295,946 44
Louisiana,	2,216,468 78
Six per cent. of 1796,	80,000 00
Exchanged six per cent. of 1812,	2,668,974 99
	20,570,627 12
Six p. cent. of 1812, (loan of 11 millions)	6,187,005 84
Do. of 1813,	15,521,136 45
Do. of 1814,	7 1-2 6,836,232 39
Do. of 1815,	25 and 3 13,011,437 63
Treasury note 6 per cent. stock,	9,490,099 10
Do. 7 per cent.	1,458,473 50
Five per cent. stock, subscription to bank	8,605,116 27
United States,	7,000,000 00
Six per cent. stock of 1820,	2,000,000 00
Five per cent. do.	545,431 47

70,654,933 65

Dolls. 91,225,560 77

Amount as per the secretary's report of last year,	91,225,522 11
Add this sum over estimated as reimbursement of deferred stock to 30th September, 1820,	38 66

As above, *Treasury department, Register's office, Nov. 12th, 1821.*
JOSEPH NOURSE, Register.

(No. 2.)

<i>Statement of the debt of the United States, 1st January, 1821.</i>	
Deferred stock (unredeemed amount)	2,059,885 53
Three per cent.	13, 95,930 03
Six per cent. of 1796,	80,000 00
Exchanged 6 per cent. of 1812,	2,668,974 99
Louisiana 6 per cent. stock,	2,076,918 15
	20,181,708 70
Six p. et. stk. of 1812, (loan of 11 mil.)	6,187,005 84
Do. of 1813,	16 15,521,136 45
Do. do. 7 1-2	6,836,232 39
Do. of 1814,	25 and 3 13,011,437 63
Do. of 1815,	18,482,500 9,490,099 10
Treasury note 6 per cent. stock,	1,460,949 00
Do. 7 per cent.	8,605,347 27
Five per cent. stock, subscription to bank United States.	7,000,000 00
Six per cent. stock, of 1820, per act of 15th May, 1820,	2,000,000 00
Five per cent. do. per do.	999,999 13

71,112,707 81

Amount 1st January, 1821, *Dolls.* 91,294,416 51

Unredeemed amount on the 1st October, 1820, per statement (1)	<i>Dolls.</i> 91,225,560 77
Add stock issued in the 4th quarter of 1820, viz.	
Treasury note 6 per cent. stock,	2,449 29
Do. 7 per cent.	731 00
Five per cent. stock, per act of 15th May, 1820,	454,567 66
	457,747 95
	91,683,308 72
Deduct reimbursement of deferred stock in the same quarter,	249,401 58
And payments on account of Louisiana stock,	139,490 63
	388,892 21

As above, *Treasury department, Register's office, Nov. 12, 1821.*
JOSEPH NOURSE, Register.

(No. 3.)

<i>Estimate of the funded debt of the United States, 1st October, 1821.</i>	
Deferred stock, (unredeemed amount)	1,783,148 38
Three per cent.	13,295,956 04
Six per cent. of 1796,	80,000 00
Exchanged six per cent. stock of 1812	2,668,974 99
Louisiana six per cent. do. (amount unapplied for)	5,552 15
	17,833,637 50
Six p. et. stk. of 1812, (loan of 11 mil.)	6,187,005 84
Do. 1813,	15,521,136 45
Do. 7 1-2	6,836,232 39
Do. 1814,	25 and 3 13,011,437 63
Do. 1815,	18,482,500 9,490,099 10
Treasury note six per cent. stock,	1,464,895 07
Do. seven per cent. stock,	8,606,355 27
Five per cent. stock, subscription to bank United States)	7,000,000 00
Six per cent. stock of 1820,	2,000,000 00
Five per cent. do. do.	999,999 13
Do. per act of March 3d, 1821	4,735,296 30

75,852,458 18

Dolls. 93,686,095 74

Amount as stated 1st January, 1821	91,294,416 51
Add stock issued in the three first quarters of 1821, viz.	
Three per cent. stock for interest on registered debt,	26 01
Treasury note six per cent. stock,	3,946 07
Do. seven per cent. stock,	508 00

Loan per act of the 3d March, 1821 *(a)* 4,735,296 30
4,739,776 33

Deduct reimbursement of deferred stock, 276,737 15
And payments on account of Louisiana stock, 2,071,360 00
2,348,097 15

As above, 1st October, 1821, *Dolls.* 93,686,095 74
Add treasury note six per cent. issued on the 4th quarter of 1821
390 40

Dolls. 93,686,486 14
Deduct estimated amount of payments in the 4th quarter of 1821, Reimbursement of deferred stock 257,322 26
Residue of Louisiana stock 5,558 15

262,880 41
Estimated amount 1st January, 1822, *Dolls.* 93,423,605 73

(a) Of this stock 4,282,700 dollars were sold in Philadelphia 35,500 in New-York, 100,000 in Boston and 109,630 in Washington. [No. 4. shews us the state of the treasury note stock --a small matter, and sufficiently understood in the report itself.]

(No. 5.)

Statement of the stock issued under the act of congress, entitled "An act supplementary to the act for the indemnification of certain claimants of public lands in the Mississippi territory," passed 3d March, 18 5.

Amount of claims awarded per statement 5. of last report (a) *Dolls.* 4,282,151 12 1-2

Paid in for lands to the 30th September, 1820, per said statement 2,432,303 31
Paid in since 3,227 08
2,442,535 39

Amount of payments made at the treasury on account of this stock, to the 30th Sept. 1820, as per said statement 1,14,879 55
Ditto, from the 1st Oct. 1820, to the 30th Sept. 1821 591,611 30
1,734,490 85

4,177,026 24
Outstanding on the 1st October, 1821, 105,124 88 1-2

Dolls. 4,282,151 12 1-2

(a) Certificates issued for 4,279,364 18 1-2
Do. to be issued 2,786 94
Dolls. 4,282,151 12 1-2

Treasury department, Register's office, Nov. 12, 1821.
JOSEPH NOURSE, Register.

Mr. Garnett's Address.

James M. Garnett, esq. a member of congress from the state of Virginia, and president of the Fredericksburg society, has apparently taken a lead among those opposed to a revision of the tariff, with a view to the protection and encouragement of domestic industry; hence, because, we wish that our own readers should hear both sides, we have already published one or two of this gentleman's addresses, and now give the political part of that which he delivered at Fredericksburg on the 9th ult.

Although little has occurred within the range of my observation, since our last meeting, which you would probably deem worthy of your attention, I cannot suffer the occasion to pass without my customary address; lest you should think I begin to re-

tax in my humble efforts to promote our good cause. This cause, indeed, vitally connected as it is with the best interests of the nation, greatly needs a much more able advocate, than the man who now addresses you; but this consideration shall not discourage him from at least attempting to say, and to do all that he possibly can in its favor. Could it be left to contend only against unpropitious seasons, the exhausted state of our soil, and such other difficulties as necessity presents; I should not be without a powerful hope, that the increasing knowledge and skill of our agricultural brethren, under the blessing of an all bountiful Providence, would be able so far to overcome these obstacles, as to render our occupation very lucrative. But when superadded to all these, we have the wrongheadedness and infatuation of real friends, combined with the pretended kindness of real but disguised enemies to struggle with, I confess that this hope is nearly extinct. Contrary to the usual course of nature, experience in this particular, seems to bring us no wisdom. Day after day, and year after year, are full of testimony as glaring as the light of a mid-summer's sun, to convince all rational men how ruinous the policy has been, which we have for some time pursued, in relation both to agriculture and commerce. Yet the pertinacity with which the authors of this policy appear to hug their darling error, is in a duplicate ratio to its desolating influence. And all this under the fatuitous notion of consistency!—as if the merit of perseverance was a thing entirely independent of the nature of its object. All our commercial cities have sorely felt the distressing effects of this most pernicious policy, but they have no where, it is said, assumed such an afflicting aspect, as in the town of Norfolk. Her grass grown streets and deserted wharves however, present themselves in vain, either to the feelings or understandings of gentlemen who dare not change their opinions, without committing the grievous political sin, of acknowledging themselves wrong. This once flourishing sea-port, therefore, possessing natural advantages for commerce equal to any town or city in the United States—the great mart in fact, during better days, for all the corn, and a large portion of the flour and tobacco made in the tide-water section of Virginia; seems doomed to suffer on in hopeless desolation; and to diffuse a large portion of these sufferings throughout the whole country which formerly traded with her; for the sake of preserving the inestimable consistency of some half dozen public functionaries!

Such language may possibly sound harsh and presumptuous in the ears of those who sit at their ease, unaffected by any of the circumstances which are grinding down the agricultural portion of our community to the very bran of their whole substance. But for these men to be very choice in the selection of set phrases, and complimentary expressions in which to utter their grievances, would be to kiss the rod that scourged them to the bone, and to worship the fatuity, which, if much longer continued, must consummate their ruin. Yet it seems not enough that we should suffer in silence the evils that have been inflicted upon us; we are also expected to adopt, by acclamation, the self destructive arguments by which some of our own fraternity would fain persuade us that the much hackneyed phrases "public good" and "national industry," mean nothing more than the prosperity of our domestic manufacturers, produced by taxes sufficiently heavy on all the rest of

the community to secure to these manufacturers a monopoly of our supplies. We and our fellow-sufferers the merchants, too, are considered exceedingly blind and ungrateful for not uniting to chaunt loud thanksgivings to certain self created apostles in political economy, who have most generously and gratuitously undertaken to teach us both our true interests, with little more knowledge of either, than that one means something about trade and "all that sort of thing;" and the other, something connected with the culture of the soil. This is really adding mockery to oppression; and to all such monitors we might well exclaim, in the language of the cabin boy who was drawn up to receive a lecture from the chaplain, as a precursor to the cat-o'-nine-tails—"If you mean to preach me, preach me; if you mean to whip me, whip me; but for mercy sake don't whip me and preach me too." We, however, like well broke wagon horses, still pull at our load; although nearly immovable; and instead of balking until a part at least of the weight is taken off, we seem willing to bear the utmost burden that can be imposed upon us.

If, under such circumstances, we behold an evident diminution of agricultural enterprise; a manifest decline in agricultural effort; we should rather wonder that they are not much greater, than that we witness them at all. Agriculture can never flourish, unless influenced by the hope of profit, as well as the stimulus of necessity. But the last alone, one would think, must be deemed by many of our politicians, preferable to both; especially when augmented in the ratio that it has been of late years. Taxes and debts must be paid, as long as there is a cent left; and the subtle contrivance of some of our statesmen to enable us to achieve these objects, is to increase the amount of what we have to pay, by the imposition of additional duties, at the same time that our means of paying our present burdens have been cut short more than half. Admirable system! Matchless powers of calculation!

I am well aware that it avails very little to repeat what has just been said, so long as the prevalent notion of political consistency exists in the minds of some of our public men; and so long as these gentlemen retain their present power to destroy both agriculture and commerce, by *regulating* (as they call it) the latter. Yet to recal your attention to the foregoing topics, may possibly enable me, if it does no other good, to present to your minds with greater effect, the no longer avoidable alternative of still farther invigorating our application to our profession, and cultivating, with increased assiduity, our habits of economy; or turning spinners and weavers, together with our children, in some of the great manufacturing establishments with which our country is to be overspread, should the designs of some of our political optimists succeed to their full extent. A large portion of our posterity, at least, will have no other choice, even on the supposition that we, their parents, may possibly escape. In the two professions of law and physic, the supply already greatly exceeds the demand; and if we turn our eyes towards commerce, we behold many merchants already bankrupt, and not a few navigators with vessels dismantled for want of employment. Weavers and spinners, therefore, we or our children must become, however reluctant, or continue as long as we can, to eat, drink, and wear, nearly all that we produce. Indeed, we have been already most earnestly and lovingly importuned to abandon, at least in part, the occupation to which we have

been bred, for these new trades; by way of equalizing the supply and demand for agricultural products, by converting the producers thereof into consumers; which these gentlemen say is the easiest and best way in the world to diminish that enormous surplus of raw materials with which our agriculturists are in danger of ruining the country.

In the scientific classification of the various diseases which afflict the bodies natural and politic, I know not whether the one which is vulgarly called "lying of the doctor," has yet been enumerated. But I am very sure that not one has a better claim to a conspicuous place in the catalogue; for none, within any given period, can exhibit more victims; and not one can be named wherein the recoveries, which sometimes, but rarely, occur, are oftener ascribed to the doctor's skill, when, in fact, the irresistible power of nature, the *vis medicatrix nature*, has achieved the cure, contrary to all rational calculation. Reason would tell us, that, when our veins, stomach and bowels have been exhausted of nearly all their contents, we must surely die, but nature occasionally says we shall not. That kind, beneficent, heaven directed parent, still enables us to struggle on in spite of all the mistaken efforts to aid her, where she wants no aid; and is robbed by the empiric of her proper thanks for causing us to survive, when all human estimates, founded upon rational principles, preclude even the hope of life. If, under these circumstances, we so far escape as to be able to crawl about a little, and to exhibit for months and years, a hue something between an ill-ripened pumpkin and a smoke-stained wall, how often are we saluted with exclamations of surprise at the wondrous skill of our physician, instead of admiration at the extraordinary vigor of our natural constitutions in resisting a curative process that would have killed ninety nine men out of an hundred. Precisely analogous to this, is our present case in a political point of view. Not all our legislative quackery, in relation to commerce, has been able to prevent something like a revival of it in certain very limited sections of our country; and this faint resuscitation, ascribable solely to the imperative wants of other nations, which our policy has not yet taught them how to supply within themselves; and to the irrepressible skill, industry and enterprise of our mercantile fellow-citizens, is most fatuitously imputed by our gulls, to the marvellous sagacity and ability of some of our political doctors; although, Sangrado like, they still cry out—"more depletion," when their patient, in fact, is in the last stage of atrophy.

The following is the concluding paragraph:

I will no longer trespass on your time, gentlemen, but conclude with expressing my anxious wish that the approaching congress may relieve our suspense and solicitude by a complete revision of our present tariff; and by the adoption of such a moderate and permanent system of duties, as may secure an adequate revenue for all legitimate purposes, without materially affecting consumption, or injuriously checking the industry and enterprise of either of the three great classes of society. To attempt the regulations of their private concerns by extending towards them what is called "government protection and encouragement," nearly resembles in folly, and far surpasses in mischief, the conceit of the philosopher in Rasselas, who imagined that he had the power to regulate the seasons. As the Deity alone can wisely manage the last, so the animating and all controuling principle which he has implanted in each individual bosom to seek its own happiness, is, in general, the only

safe guide for the management of the first. This is a matter which our political principles have fixed as far beyond the power, as the God of nature has placed it beyond the ken of our government. Let agriculture, commerce and manufactures stand as they ought to do—on their own footing; neither looking up to government, and praying for partial, unconstitutional interferences in their own favor—but each laboring in their respective vocations to manage their own private affairs in their own way: and they will then show themselves for what they naturally are,—good friends, mutually dependent on each other for necessities and comforts:—not ever restless and quarrelsome rivals for government patronage.

Seventeenth Congress—first session.

IN SENATE.

The senate did not sit on Friday or Saturday, nor the house of representatives on Friday, in consequence of the funeral of col. Trimble, a senator from the state of Ohio.

December 17. Mr. Van Dyke of Delaware, and Mr. William Findlay, a senator from Pennsylvania, in the place of Mr. Roberts, appeared and took their seats.

According to order, the senate then proceeded to the appointment, by ballot, of the several standing committees; and the committees were composed as follows:

On foreign relations—Messrs. King, of New York, Macon, Brown, Barbour and Elliot.

On finance—Messrs. Holmes, of Maine, Eaton, Macon, Van Buren and Lowrie.

On commerce and manufactures—Messrs. Dickinson, Ruggles, D'Wolf, Lanman and Findlay.

On military affairs—Messrs. Williams, of Tennessee, Taylor, Johnson, of Kentucky, Elliot and Chandler.

On the militia—Messrs. Noble, Stokes, Lanman, Chandler and Seymour.

On naval affairs—Messrs. Pleasants, Parrott, Williams, of Mississippi, Walker and Ware.

On the public lands—Messrs. Thomas, Van Dyke, Lowrie, Eaton and Benton.

On Indian affairs—Messrs. Johnson, of Louisiana, King, of Alabama, Johnson, of Kentucky, Benton and Holmes, of Mississippi.

On claims—Messrs. Ruggles, Morrill, Van Dyke, Barton and Boardman.

On the judiciary—Messrs. Smith, Holmes, of Maine, Otis, Southard, Van Buren.

On the post office—Messrs. Stokes, Palmer, Chandler, Barton and King, of Alabama.

On pensions—Messrs. Noble, Eaton, Seymour, Elliott and Ware.

On the District of Columbia—Messrs. Barbour, Lanman, Lloyd, Southard and D'Wolf.

On accounts—Messrs. Lanman, Macon and Lowrie.

Mr. Barbour gave notice that he should on tomorrow, ask leave to introduce a joint resolution proposing an amendment to the constitution of the United States, to fix permanently the number of members of which the house of representatives shall consist.

Mr. Johnson, of Kentucky, submitted the following resolution for consideration:

Resolved, That a select committee be appointed to inquire into the expediency of providing for the preservation and repairing the national turnpike road, beginning at Cumberland on the Potomac, and terminating at Wheeling on the Ohio river; and that they have leave to report by bill or otherwise.

The senate then adjourned.

December 18. Mr. Barbour submitted for consideration the following resolution:

Resolved, by the senate and house of representatives of the United States of America in congress assembled, two-thirds of both houses concurring, That the following amendment to the constitution of the United States be proposed to the legislatures of the several states, which, when ratified by the legislatures of three-fourths of the states, shall be valid, to all intents and purposes, as part of the said constitution, to wit:

"That the number of representatives shall not exceed two hundred."

In offering this resolution, Mr. B. supported it by some remarks.

The resolve was read a first time and passed to a second reading.

Mr. Williams, of Tennessee, moved the following resolution:

Resolved, That the president of the United States be requested to cause to be laid before the senate a report of the practical operation of the system of subsisting the army, under the provisions of the act passed the 14th of April, 1818, together with a comparative view of the present and former modes of supplying the army.

[From the remarks offered by Mr. Williams, it appears that his object was to obtain a better and more economical mode of supplying the troops—for which purpose it was necessary to obtain a knowledge of the practical operation of commissariat system, &c.] The motion lies one day on the table, of course.

Mr. Johnson of Ky. offered a resolution to provide for the repair, &c. of the national turnpike, commonly called the Cumberland road, which being modified, resulted in adopting the following resolution—to be deemed important as expressing the opinion of the senate in respect to internal improvements:

Resolved, That a committee be appointed on roads and canals.

Thus modified, the resolve was agreed to by the senate, and Mr. Johnson, of Ky. King, of New York, Lowrie, Macon and Mills, were appointed a committee accordingly.

Notice that leave would be asked to introduce several resolutions, was given—and shall be noticed, of course, as necessary.

December 19. Mr. Edwards, of Illinois, appeared to-day, and took his seat.

The president of the senate communicated a memorial from the legislature of the state of Alabama, relative to the organization of the federal courts in that state; and urging the expediency of completing the fortifications commenced at Mobile, and discontinued some time ago for want of the necessary appropriations.

The memorial was, on motion of Mr. Walker, ordered to be printed, and the subjects embraced by it referred to the appropriate committees.

Mr. Thomas laid before the senate a resolution of the general assembly of the state of Illinois, requesting their senators and representatives in congress to use their best endeavors to obtain the passage of a law to enable the state of Illinois to construct a canal to connect the waters of Lake Michigan with Illinois river, and to obtain a donation to the state from the general government of a quantity of public land, one township in width, and extending from the Chicago to the Illinois river. The resolution was referred to the committee on roads and canals.

Mr. Morrill laid before the senate a preamble and sundry resolutions passed by the legislature of New Hampshire, declaring the right of all the states to grants of the public land for the purpose of education, in just proportion to the grants made for that object to the new states; and requesting the efforts of the senators and representatives from

that state in congress to obtain the passage of an act for that purpose. The document was read and ordered to lie on the table.

Mr. Dickerson, agreeably to notice, and having obtained leave, introduced a resolution proposing an amendment to the constitution of the United States, so as to establish an uniform mode of electing electors of president and vice-president of the United States, and representatives to congress; and the resolution passed to the second reading.

Mr. Barbour, agreeably to notice having obtained leave, introduced a bill "concerning the lands and salt springs to be granted to the state of Missouri, for the purposes of education, and for other public uses;" and the bill passed to the second reading.

Mr. Pleasants presented the memorial of sundry agricultural societies of Virginia, setting forth various reasons for a reduction of the existing duties on imports, and praying that all duties which amount to partial or total prohibition be repealed; which memorial was read and referred to the committee on commerce and manufactures.

The resolution introduced by Mr. Barbour, to amend the constitution, by establishing a maximum number for the house of representatives, was read the second time, and then, on motion of Mr. Barbour, postponed to the third Monday in January next.

HOUSE OF REPRESENTATIVES.

Saturday, Dec. 15. One hundred and fifty-four petitions were presented this day!—122 of which were referred to the committee on private land claims, 12 to that on revolutionary pensions, 7 to that on claims, &c.

Mr. John Randolph, of Virginia, and Mr. William D. Williamson, of Maine, appeared, were qualified, and took their seats.

Mr. Patterson, of New-York, presented the following resolution, which lies on the table one day, of course:

Resolved, That the secretary of state be directed to furnish this house with such information as he may possess of the enumeration made under the law of the 14th of March, 1820, directing a fourth census of the inhabitants of the United States, designating the population of the different counties in the respective states and territories.

Mr. Walworth, of New-York, submitted the following resolution, which was negatived:

Resolved, That the military committee be instructed to enquire into the expediency of discontinuing the daily allowance of ardent spirits to soldiers in the army of the United States.

Mr. Smith, of Maryland, submitted the following resolution, which was laid on the table:

Resolved, That the president be requested to cause to be laid before this house a statement, showing—

The number of battering cannon, mortars, and howitzers, with the several calibres of the cannon and size of the mortars and howitzers, within each fortification of the United States.

The number of shot, and their several weights, and the number of shells, and their size, within the same.

The number of gun and howitzer carriages, and mortar beds, fit for service within the same.

The number of battering cannon, their respective calibres, not in service, including those contracted for and not yet delivered.

The number of mortars and howitzers, and their dimensions, not in service.

The quantity of shot and shells in store for the same, their respective sizes and diameters.

The number of caissons fit for service.

The number of new carriages constructed for the guns in the forts, or for the new fortifications.

The number of cannon, mortars and howitzers, their calibres and size, required for the old fortifications, and those now building.

And an estimate of the amount required to provide all the cannon, mortars, howitzers, their shot and shells, carriages and beds for the same, and for caissons for the present army, that may be deemed necessary.

The number of field pieces in service, with their several calibres, and the shot prepared for the same; and whether any addition to those are deemed necessary; and if so, what number, their several calibres, and an estimate of their cost.

Mr. *Moore*, of Pennsylvania, submitted the following resolution, which lies on the table of course for one day:

Resolved, That an additional standing committee be appointed, consisting of seven members, to be denominated "The committee on Indian affairs."

Mr. *Hill*, of Maine, presented the following resolution, which was likewise laid on the table:

Resolved, That the secretary of the treasury be directed to report to this house, whether the Indian title has been extinguished by the United States to any lands the right of soil in which has been or is claimed by any particular state; and, if so, the conditions upon which the same has been extinguished.—[Considered, and, with some small amendments, agreed to, on Monday following.]

Mr. *Cannon*, of Tennessee, moved that the house do now take into consideration the resolution by him submitted on Tuesday last, in relation to the militia and army; which motion, on a division of the house, was lost.—Ayes 72, nays 55.

Mr. *Itch* submitted the following resolution, which was ordered to lie on the table:

Resolved, That the secretary of the treasury be instructed to report to this house, a statement shewing the quantity of wool imported into the United States during the years 1817, 1818, 1819, and 1820, and the three first quarters of 1821, together with the aggregate value upon which, in each year, the duties have been charged.

Mr. *Wood* presented the following resolution, which was adopted:

Resolved, That the committee on public lands be instructed to enquire into the expediency of requiring the surveyor generals of the United States, to give security for the faithful disbursement of the public moneys with which they may be entrusted for the purpose of paying the surveyors, and others employed in surveying the public lands within their several districts, respectively.

The resolutions submitted by Mr. *S. Smith*, last week, relative to the act for the relief of disabled seamen and the navy hospital fund, were agreed to.

Mr. *Plumer* submitted a resolution for a further distribution of the "Secret Journals and of the committee of foreign correspondence," hitherto ordered to be printed, and printed under the authority of acts of congress. [Read a second time on the 18th.]

Mr. *Gilmer* submitted the following resolutions:

Resolved, That the several treaties made by the United States with the Indian tribes, which may furnish matters for legislation or the consideration of congress, be referred to the committee appointed to enquire into the expediency of occupying the Columbia river, &c and of regulating the trade with the Indian tribes.

Resolved, That the articles of agreement and cession between the United States and the state of Georgia, entered into on the 24th of April, 1802, be referred to the same committee, with instructions to report whether the same have been executed according to the terms thereof; and, also, the best means, in the opinion of the committee, of executing said articles of agreement.—[These resolutions were modified and adopted next day.]

A motion was made to lay these resolutions on the table, which, after debate, was agreed to—ayes 67, nays 52.

Mr. *Buchanan* submitted the following resolution, which was adopted:

Resolved, That the committee on roads and canals be instructed to enquire whether any, and, if any, what measures should be adopted by the government of the United States for the purpose of aiding "the Chesapeake and Delaware canal company," and enabling them to accomplish the purpose for which they were incorporated.

Mr. *Whitman* submitted the following resolution, which was read a first time and ordered to be printed.

Resolved, by the senate and house of representatives of the United States of America in congress assembled, two-thirds of both houses concurring, That the following amendment to the constitution of the United States be proposed to the legislatures of the several states, which, when ratified by the legislatures of three-fourths of the states, shall be valid, to all intents and purposes, as part of the said constitution, to wit:

"That for the purpose of choosing representatives to the congress of the United States, each state shall, by its legislature, be divided into a number of districts, equal to the number of representatives to which such state may be entitled. The districts shall be formed of contiguous territory, the exterior limits of each of which, shall be as nearly equidistant from a common centre as may be, and composed of a population equal in number, as near as may be practicable, to the number of the population entitled, by the apportionment for the time being, to elect one representative in each district, so formed, the persons qualified to vote shall elect one representative. The division of the states into districts, hereby provided for, shall take place immediately after the adoption of

this amendment, and immediately after every future census and apportionment of representatives thereupon, and such districts shall not be, at any other time, or on any other occasion, altered or varied.

"That, for the purpose of choosing electors of president and vice-president of the United States, the persons qualified to vote for representatives in each district shall choose one elector. The two additional electors to which each state is entitled, shall be appointed in such manner as the legislature thereof may direct. The electors who may be convened, at the time and place prescribed by law, for the purpose of voting for president and vice-president of the United States, in case of the non-attendance of any one or more of those elected, or in case of a vacancy otherwise happening, shall choose an elector or electors to supply such vacancy." [Committed to a committee of the whole, next day.]

An engrossed bill to revive the act to provide for persons who were disabled by known wounds received in the revolutionary war, was read the third time, when the speaker put the question, shall this bill pass?

Mr. *Butler* suggested an amendment extending the provisions contained in the bill, which he thought necessary for the purpose of saving time and expense to the United States, and at the same time for carrying more fully into effect the object which it contemplated.

Mr. *Butler* moved that the bill be re-committed, for the purpose of being extended conformably to his proposition.

Mr. *Rhea* opposed the motion.

Mr. *Rich* was opposed to the principle of the bill, but was in favor of the re-commitment.

The question on the motion for re-commitment was then put and agreed to.

On motion of Mr. *Swager*—

Resolved, That the committee of commerce be instructed to report a bill for abolishing such offices of the customs as have been reported by the secretary of the treasury to be unproductive and useless.

[Many other resolutions were submitted this day, which there can be but little, if any, use in detailing just now.]

Monday, Dec. 17. Mr. *Hall*, of North Carolina, appeared and took his seat.

Many petitions were received and sundry resolutions submitted, to be noticed, as needful, hereafter.

Mr. *Wright* submitted a resolution, which, after being modified at the suggestion of Mr. *Lathrop*, was read in the following words:

Resolved, That a committee be appointed to enquire into the expediency of providing, by law, more effectually to protect the rights of those entitled to the service or labor of persons in one state, under the laws thereof, escaping into another, and for their delivery to their rightful owners—agreeably to the provisions of the constitution.

Mr. *Campbell*, of Ohio, moved to amend the same, so as to refer it to the committee on the judiciary, instead of a select committee.

A discussion ensued on the question of reference, in which Messrs. *Wright* and *S. Smith* opposed, and Messrs. *Tomlinson* and *Moore* supported the amendment, which was put and carried—ayes 70, nays 60. [In the course of the discussion, Mr. *Wright* warmly deprecated the interference of Quakers and others to prevent the reclamation of slaves in some of the states, and hinted, that, if effectual means were not taken to secure the rights of the southern states in this particular, he did not know but they might be driven to take up arms to protect them! Mr. *Campbell* and Mr. *Tomlinson* did not oppose the reference of the subject, but argued that references to standing committees were preferable, when the subjects naturally belonged to committees of that description.]

The resolution was thereupon adopted.

Mr. *S. Smith* moved that the house now proceed to the consideration of the resolution submitted by him on Saturday last, in relation to an inquiry into the present state of the ordinance and military stores of the United States.

The house agreed to consider the same; whereupon—

[Mr. Smith explained that his object was, now that the price of labor is low, to provide a supply of cannon—some portion annually.]

The resolution was adopted.

On motion of Mr. Floyd, it was

Resolved, That the secretary of the department of the navy be required to report to this house the probable increase of expense, in causing an examination to be made of the different harbors belonging to the United States on the Pacific ocean, and of transporting artillery to the mouth of the Columbia river.

Mr. Wright laid before the house an attested copy of a resolution passed by the general assembly of the state of Maryland, complaining of the protection afforded by the citizens of Pennsylvania to the slaves of the citizens of Maryland, who abscond and go into that state, and declaring that it is the duty of congress to enact such a law as will prevent a continuance of the evils complained of; which resolution was, on motion of Mr. Wright referred to the committee on the judiciary.

Mr. Cannon called for the consideration of the resolutions he had submitted on a former day relative to the militia, the army, and corps of cadets.

[The first resolution was ordered to lie on the table—the 2nd and 3rd were adopted—but the house refused to consider the remainder of Mr. Cannon's resolutions—61 to 51.]

Mr. Patterson, of N. Y. called for the consideration of the resolution by him submitted on Saturday last, (relative to the census). [Adopted, after striking out that part which follows the words "the United States."]

Mr. Rich moved that the house proceed to the consideration of the resolution by him submitted on Saturday last relative to the importation of wool into the United States.

Mr. R. proposed to amend the resolution by adding thereto the following words:

"Also, the quantity exported from the United States, during the above mentioned periods, and the countries or places to which exported."

This addition was agreed to.

Mr. Eustis moved to amend the resolution by requesting information in such cases from the president of the United States, instead of the heads of departments, and proposed that the resolution now before the house be so amended as to conform to that principle. The mover assented to the amendment; whereupon,

Mr. Randolph remarked that he was opposed to the rule that had been just laid down with regard to this subject. It would, in his opinion, lead to serious difficulties and embarrassments. To pack off two members of this body to the president's house, whenever petty details of the treasury—of the post-office department, or concerning the importation of wool, was required would be derogatory of the dignity of the house, and perhaps equally inconvenient to the personage of whom the information was to be sought.

Mr. Rich observed that the observations of the honorable gentlemen from Va. had created doubt in his mind with regard to the proper channel through which the necessary information should be obtained. He therefore moved that the further consideration of the resolution be postponed and that the same lie on the table. *Carried*. [The resolution was so amended next day, as to direct the enquiry to the secretary of the treasury].

Mr. Whittman called for the consideration of the resolution by him submitted on a former day requesting information from the secretary of state relating to the late transactions at Pensacola, &c.

The house agreed to consider the same, when After considerable time spent thereon—the resolution was laid on the table.

On motion of Mr. Johnston, of Louisiana, it was *Resolved*, That the committee on commerce be instructed to inquire into the expediency of erecting light-houses on the coast of Florida; and to consider what other measures it may be necessary to adopt, to give greater security to the navigation of the gulf stream.

The speaker then laid before the house the two messages received in an early part of the day from the president of the United States; the one embracing a statement of the progress which has been made in carrying into execution the resolutions for printing the secret journal and foreign correspondence of the old congress; the other transmitting papers to shew how the provisions by law, for the erection of certain light houses have been carried into effect—the first of which messages was referred to the committee of ways and means, and the second to the committee of commerce. And then The house adjourned.

Tuesday, Dec. 18. Mr. Bayly, from Maryland, appeared, was qualified, and took his seat.

The following committees were announced as having been appointed by the speaker, pursuant to the orders of yesterday.

On Indian affairs—Messrs. Moore, of Pen. Metcalfe, Bayly, Hall, Spencer, Mitchell and Bigelow.

On certain treaties made by the United States and the Creek and Cherokee nations of Indians—Messrs. Gilmer, Randolph, Barstow, Morgan, Blair, Swan and McSherry.

On the subject of the militia—Messrs. Cannon, Findlay, McCarty, Williamson, J. T. Johnson, Arthur Smith, and Saunders.

Mr. Rhea reported a bill entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war."

[The introduction of this bill was followed by remarks from several members—Mr. Cocke thought that the security required of agents was not sufficient. Mr. Hardin supported him, and stated a case as to a paymaster who was a defaulter and had failed in the sum of \$374,000, whose bonds only amounted to the sum of \$60,000, in the aggregate! He believed that in nineteen cases out of twenty the penal bonds that had been taken had been inadequate to the public security. Mr. Rhea opposed the amendment. Several other members spoke on the subject—finally the bill was re-committed.]

Mr. Trimble submitted the following resolution:

Resolved, That the committee on roads and canals be instructed to inquire into the expediency of providing by law, for the repair and preservation of the Cumberland road, and for the establishment of toll gates thereon.

Resolved, That the same committee be instructed to inquire whether any, and if any, what, further provision ought to be made by law, to enable the president of the United States to complete the survey and location of the proposed continuation of the Cumberland road, from Wheeling, in the state of Virginia, through the states of Ohio, Indiana and Illinois, to the Mississippi river, and whether any, and if any, what, provision ought to be made to enable the president to cause the said road to be constructed.

Resolved, That the president of the United States be requested to cause this house to be informed whether the commissioners appointed to lay out the continuation of the Cumberland road from Wheeling in the state of Virginia, through the states of Ohio, Indiana and Illinois, to the Mississippi river, have completed the same, and, if not completed, the reason why their duties have been suspended.

The speaker presented a communication from the treasury department, which was read, and laid on the table.

Mr. Floyd's resolution for an enquiry into the expense of transporting cannon, &c. to the mouth of Columbia river was agreed to.

The order of the day was then taken up, and on motion of Mr. Rankin, the house resolved itself into a committee of the whole on the bill, entitled "An act for paying to the state of Missouri three per cent. of the proceeds of the sales of public lands in the same"—Mr. Hill in the chair.

The bill was supported by Mr. Rankin; and no amendment having been offered to the same, the committee rose, and reported the said bill to the house, who concurred therein, and ordered the same to be engrossed, read the third time, and made the order of the day for to-morrow.

And then the house adjourned.

Wednesday, Dec. 19. Matthew Lyon, who had presented a petition contesting the right of James W. Bates, as a delegate to represent the territory of Arkansas, has leave granted to withdraw his petition.

Sundry private matters were variously disposed of.

Mr. Baldwin submitted the following joint resolution:

Resolved, by the senate and house of representatives of the United States of America, in congress assembled, That the president of the senate and speaker of the house of representatives be directed to adjourn their respective houses from Saturday the 22d inst. to Wednesday the 2d day of January next.

Some debate ensued, &c. Mr. Baldwin explained—he was for doing in *form* what had been uniformly done in *practice*—he wished to conform to facts. In the mean time the committees might proceed to prepare business, &c. Mr. Rhea opposed the resolution—he hoped the committees would not be compelled to attend to business, while the other members were on excursions of pleasure, &c. Mr. Colden thought if the members received pay they ought to attend to the duties of the house. Mr. Smyth said he came to congress to attend to public business, but he had seen that it could not be done during the holidays—he was in favor of the resolution. Mr. Hardin thought that, though no business was done during the holidays, it was not right to adjourn—petitions ought to be received and resolutions disposed of, &c. Mr. Baldwin briefly replied, that he had not expected that the proposition would meet with opposition on those principles which gentlemen had assumed. He had no personal object in view, and his conscience was at ease in regard to the pay. He should probably remain here during the recess, and it had been his invariable practice to attend in the house during all its hours of business. *But he was not in favor of a tacit understanding to meet and do nothing. He wished the nation to know and fully comprehend our proceedings.* He would be above-board in business; and if we were really to do nothing during the holidays, let us boldly say so, and not resort to any implied and covert understandings. And if gentlemen were unwilling to vote in favor of the resolution, he hoped they would give punctual attendance during that period, and not be the first to go home and the last to return.

The resolution was indefinitely postponed—for it 30, against it 134. [We may see how many attend during "the holidays."]

Various resolutions were submitted, which shall be noticed in their progress.

The engrossed bill providing for paying to the state of Missouri three per cent. of the net proceeds arising from the sale of public lands within the state, was read a third time.

The engrossed resolution providing for the distribution of the documents, &c. appertaining to

the congress of the revolution, printed under a former resolution of congress, was read a third time, passed, and sent to the senate for concurrence.

Mr. Farrelly submitted for consideration the following resolve, which lies on the table:

Resolved, That the secretary of the treasury be instructed to lay before this house a copy of a report made by the commissioners appointed to view and inspect the Cumberland road.

A bill for the further allowance of time to debtors for land, passed through its course, and was postponed for further consideration.

The house then resolved itself into a committee of the whole, (Mr. Wright, of Maryland, in the chair), on the bill to revive and continue in force for a further time the bill providing for the relief of persons disabled by known wounds received in the revolutionary war.

A lively debate here ensued about suretyships for public moneys entrusted in the hands of individuals—the whole manifesting a strong disposition to cause them to be real, and keep persons out of the "defaulter's books;"—but we have not room to give the sketch. Many cases in which the public had suffered were referred to. After various proceedings, the committee rose and reported progress, but was refused leave to sit again, on the motion of Mr. Little. Finally, it was ordered to a third reading.

THURSDAY'S PROCEEDINGS.

In the senate—a long communication, with many accompanying papers, was received from the secretary of state, relative to the fourth census—we have not either time or room to insert it now: and the other proceedings, not of present importance, shall be noticed hereafter.

House of representatives. Various reports, &c. being received, Mr. Farrelly's resolution about the Cumberland road, was agreed to be considered and adopted.

On motion of Mr. Tomlinson, it was

Resolved, That the committee of commerce be instructed to enquire into the expediency of repealing the act passed April 26, 1816, by which was allowed an additional compensation of fifty per cent. to the compensation of certain officers of the customs therein named.

Mr. Wright offered a resolution that \$200 should be appropriated to pay the funeral expenses of Thomas Claxton, late door-keeper of the house—but it was promptly negatived.

Mr. Trimble called for the consideration of the resolutions submitted by him on Tuesday, relative to the progress and completion of the Cumberland road.

The first of these which was taken up was that which had been made in the survey of the continuation of the Cumberland road from Wheeling to the Mississippi. This resolve was agreed to without objection.

The two other resolutions respecting the repair of the Cumberland road, and the execution of the projected road from Wheeling to the Mississippi, were then read, and, being before the house—

After some remarks from Mr. Farrelly and Mr. Trimble, they were passed.

The resolutions yesterday submitted by Mr. Colden, calling on the commissioners of navy hospitals for certain information relative to the administration of the fund for the relief of sick and disabled seamen, being taken up for consideration—were agreed to.

Mr. *Colden* submitted the following resolve:

Resolved, That the committee to whom was referred the memorial of the bank of the U. States be directed to inquire and report to this house, whether the said bank is not in the practice of taking of more than six per centum per annum for or upon its loans or discounts.

On this a lively little debate ensued, which shall, perhaps, be given hereafter,—the resolution was adopted.

An engrossed bill, entitled "an act to extend the time allowed for the redemption of lands sold for direct taxes," was read the third time and passed.

An engrossed bill, entitled, "an act to revive and continue in force, an act, entitled 'an act to provide for persons disabled by known wounds received in the revolutionary war,'" was also read the third time and passed.

Mr. *Campbell* called for the consideration of the resolution he had submitted in an early part of the session, for the appointment of a committee on the subject of apportioning the number of representatives of the United States, according to the fourth census.

The house agreed to consider the resolution, adopted the same, and ordered that it consist of one member from each state.

The remainder of the sitting was occupied on the bill for the relief of certain purchasers of the public lands—some amendments were made, and it was ordered to be printed.

A new question of Law.

An extraordinary case has lately arisen before the circuit court of the United States sitting at Frankfort, in the state of Kentucky.

A person was on his trial for resisting the deputy marshal in the execution of his duty, and plead not guilty. In the progress of the trial (says a letter published in the Kentucky Reporter) it was stated and made to appear, that John T. Mason, esq. was appointed marshal by the president, during the recess of the senate in July or August, 1817, and commissioned to hold the office until the end of the then next session of congress. In November following he gave bond with security, and took the oath of office according to law. Afterwards he was nominated to the senate, who confirmed the nomination, and he received a new commission, bearing date the 16th December, 1817, long before the end of the session of congress, when the first commission expired, and has ever since held and exercised the office of marshal, without again taking the oath of office, and without giving a new bond.—The deputy or deputies mentioned in the indictment as having been resisted by King, were appointed while the marshal was acting under the first commission, and were not re-appointed or qualified again after the date of the second commission. (Some other deputies were appointed and qualified after the date of the second commission). Upon these facts, Mr. Wickliffe, as counsel for the defendant, contended, that Mr. Mason not having taken the oath, nor given bond according to the laws requiring these things to be done, before he entered upon the duties of his office, *was not in fact marshal*, and that the deputies were mere usurpers of power, having no right whatever to molest the defendant; and the court, composed of judges Todd and Trimble, instructed the jury that the law was for the defendant,

and the jury thereupon found the defendant *not guilty*.

It will be readily perceived that the decision of this point of law goes far to authorize an inference that *all* the official acts of the marshal and his deputies, of whatsoever nature, for nearly four years past, are *utterly void*.

It was not to be expected that a decision which seemed so universal in its application, and so tremendous in its consequences, should be received as the settled law, without a more thorough examination, and more deliberate consideration than it was possible for the court to give it, during the short progress of a criminal prosecution in which the point had unexpectedly been made.

The question was accordingly again brought before the court by a motion made by Mr. Crittenden, in behalf of the defendants, to *quash the marshal's return* upon a writ of *ca. sa.* which had been issued at the suit of the bank of the United States against Logan and Griffith, and by virtue of which the defendants had been committed.

The motion was very elaborately, learnedly, and ingeniously argued on Thursday the 16th by Mr. Clay, Mr. Whittelsey, Mr. Monroe and Mr. Bibb, against the motion, that is, in support of the validity of the acts of the marshal and his deputies; and by Mr. Crittenden, Mr. Littell, and Mr. Sharpe, on the other side; and the motion is now under the consideration of the court.

CHRONICLE.

Maryland. There appears to be a permanent deficiency in the finances of this state of about 50,000 dollars a year; and a committee has been raised to devise a system of revenue.

Virginia. Col. Thomas M. Randolph has been re-elected governor of this commonwealth, without much opposition. The case of *Preston*, late treasurer, after occupying the court sixteen days, has been decided. His securities for the last year of his treasurer'ship were held to be liable for the whole of his deficiency—87,587 dollars, besides interest and costs. A part of this amount has been repaid, and it appears probable that his property, set aside to satisfy the balance, will more than accomplish it.

North Carolina. Gen. Gabriel Holmes has been elected governor of this state, after eight ballots in the legislature, in each of which he had the greater number of votes. On the last ballot the votes were, for Mr. Holmes 106; Mr. Mebane 65; Mr. Burton 13.

St. Augustine. The fever at this place had considerably abated by the 17th ult. but several deaths were still taking place. Whole families appear to have been nearly swept off; and the disease has not been "a respecter of persons"—many of the most valuable citizens having been its victims. Subsequent accounts tell us that the disease had entirely ceased.

Pewes. The sale of thirty-six vacant pewes, and of five half pewes in the First Presbyterian church in Philadelphia, lately produced 15,330 dollars.

Indian justice. It appears from the Alabama papers, that on the fact of the murder of Mr. John Lucas, by an Indian, who had undertaken to be his guide, being communicated to the *Big Warrior*, he ordered the murderer to be immediately executed.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A MISTAKE. Mr. James M. Garnett, president of the Fredericksburg Agricultural society, is not a member of congress, as mentioned in our last paper—he has been a member. The representative from the district is his brother, Robert S. Garnett, esq. The error is of no great importance—but we do not like to suffer errors to pass unnoticed, if made sensible of them.

THE MAILS. The "Federal Republican" of the 18th inst. grievously complains of the irregularity and uncertainty of the mails, and adverts to the heavy losses sustained thereby. No doubt, the editor has much reason to find fault—but the fact is, that a great part of the irregularity and uncertainty of the mails, in regard to newspapers, is caused by the slight manner in which they are packed; as must be evident to any one that ever saw the bags opened in a post office: how far our neighbor endeavors to prevent this, by the use of strong wrappers, we do not know—but we, who have extended the packing of the REGISTER to a degree of perfection unknown, we believe, in the United States before the publication of this work, have much reason to complain, and there is no doubt that the disadvantages to which our packages are necessarily liable, in being jostled about in the mail bags, together with the rank carelessness in many of the post offices, keeps down the amount of our subscribers at the rate of more than an hundred per annum, though we supply missing numbers free of charge, if lost in the mail: and, from the great number of post offices it is not, oftentimes, possible to find out at which acts of carelessness are committed—the affairs of many of them are frequently given up to irresponsible and incompetent subordinates. In all cases and without exception, we hold it to be a plain matter of right, that, when the principal of any office does not at least overlook the business transacted in it, unless prevented by sickness, &c. he should be instantly dismissed, on the simple fact being made apparent, even though the business be satisfactorily performed.

"He that in the plough would thrive,
Himself must either hold or drive."

"ROYAL" PRACAS. It is reported that an altercation took place on Monday evening last, at the president's table, between the minister of his "most christian majesty," Louis XVIII, and of "his most gracious majesty" George IV—which, on retiring from the table, so nearly came to blows, that they were only prevented by the interference of the representative of another foreign nation. We have not any further particulars. The Washington papers are silent on the subject. It is stated to have been caused by that mighty matter called "etiquette."

A subsequent account says that some expressions made use of by the British minister were misunderstood by the minister of France, as reflecting on the French nation and government; and that the British minister afterwards declared that he had no intention to offend by any expressions that he had used—so there is a hope that peace is re-established between them.

VOL. XXI.—16.

PETER FRANCISCO has petitioned the legislature of Virginia, for compensation for services rendered during the revolutionary war. His rencontre with a party of dragoons is history.

SCARCITY OR SUPPLY. We have frequently endeavored to point out to our readers, as one of the most interesting subjects of practical political economy, the operations of scarcity and supply—showing that the want of a one-hundredth part of that which is required for the usual consumption, will raise the price of the entire quantity consumed in a much greater amount than the whole value of the deficiency; or, that a surplus, in like manner, of a one-hundredth part, will so depress the price of the whole stock, that it would benefit the growers of that stock to destroy the surplus, and so keep it out of the market. See a late article on this subject, page 164 of the present volume.

The greatest amount of foreign bread stuffs that Great Britain ever received was in the year 1802, and valued at ten millions of pounds sterling. This was a year of great scarcity. The average import, when the introduction of foreign grain has been permitted, has not been half so much as ten millions; and it is fairly to be presumed that, if the ports were always kept open, the average value of bread stuffs imported, for home use, would not exceed the value of 3 or 4 millions a year: but the Edinburgh Review contends, and, no doubt, justly, that a removal of the restrictions on the importation of corn into Great Britain would, of itself, by permitting the consumers to import food from the cheapest market, lead to a saving of twenty-five millions a year for the mass of the population. Such would be the operation of a small foreign supply on the mighty quantity produced in the country—but, though twenty five millions could thus be saved to the consumers, what would become of the land-holders and the growers of grain? They would lose what the other gained, and so be unable to pay their taxes, tythes and poor rates; and the import, so far as its amount of cost extended, would be a loss to the nation, unless, by that import they encouraged other nations to purchase British manufactures more freely, as would be the case if grain was received from the United States, for instance. When an exchange of the product of labor takes place fairly, the commerce which it furnishes is advantageous to all parties. A girl in a cotton mill at Manchester, perhaps, could beggar several men working in the mines of Potosi, if the latter were compelled to exchange the product of their labor for that of her hands, assisted by machinery—the nominal current value of their respective commodities, in their highest state of perfection, being justly regarded in the exchange, to be measured by the quantity of subsistence that they might be re-exchanged for with other persons.

FOREIGN NEWS. It is stated that the city of St. Domingo, in the island of St. Domingo or Hispaniola, alias Hayti, has surrendered to "the patriots."—Where from?

We have some account of the progress of things in the interesting island of Hayti. The government appears to have acquired every degree of re-

gularity that belongs to others. The whole territory seems to be united and rapidly advancing in population and prosperity. The march of mind is evidently great; and the politician, in our opinion, does wrong, who does not calculate upon a powerful government in this island. Its effects no one can appreciate; but revolution would seem naturally to belong to them.

The power of this state is vested in a president, senate and house of representatives—harmony prevails, and every subordinate department seems to be respectably filled by honorable men, zealous for the republic. Instruction is much attended to, and its benefits are highly spoken of. The army is well organized and its means powerful. Respect to the laws is enforced by precept and example, and the people must be considered as in a flourishing condition.

The republic of Colombia has already prohibited the importation of slaves. May God speed the republic for this excellent act! Porto Cavello still remained in possession of the royalists, and many pirates are fitted out therefrom—but a speedy surrender or evacuation was expected. A British sloop of war has been at Porto Cavello to remonstrate against acts of piracy, but was dismissed without receiving satisfaction. The owner of one of the piratical vessels from this place is the judge to decide upon the legality of captures! Those who fall into the hands of these miscreants are treated with an excess of cruelty.

The congress of Colombia has passed a vote of thanks to a number of public characters in Europe and America—among them are mentioned the names of lord Holland and the abbe de Pradt, Mr. Clay, late speaker of congress, and colonel Duane, editor of the Aurora, and sir Robert Wilson and Jas. Mayrant, esqr. members of the British house of commons.

The editor of the Aurora has received some private letters and public papers shewing the progress of things in Mexico. We learn, generally, from what is stated, that a new independent government has been firmly established and seated at the ancient capital of the empire, as has been before mentioned, at the head of which Yturide is placed. The whole country appears to be quiet, and a castle at Vera Cruz seems to be the only place possessed by Spain—this is defended by an insignificant force, and must soon be reduced, if not surrendered. It is the opinion of Mr. Duane that, as early as the 28th of August last, "the connection between Mexico and Spain was severed forever." The people rejoice in their deliverance, and are determined to support their independence. A "sovereign congress" is established to make the needful regulations, &c. The press is apparently free, and discusses public matters—as it should do.

The following proclamation, from the commander of the Mexican army, to the people, may assist in shewing the real state of things:

Mexicans!—You are already in a situation most auspicious to your happiness; your country is independent of all foreign authority; at Iguala I promised you it should be so: I have already traversed the vast space which separates slavery from liberty. I have employed all the means which appeared to me best adapted to assure to every American the right to express freely and securely his opinions; those causes which have hitherto excited apprehension and constraint, are removed, and concealment is no longer necessary; where evil or perverse dispositions have prevailed, they learned

to become moderate; and liberal ideas have superseded those that were contracted and unequal.

Therefore it is, that you now see me in the capital of this great nation, which it is my pride to have entered without shedding one drop of blood; without having been the cause or the instrument of making one widow, one child an orphan, or causing one parent to load with execration the destroyer of his child; I have traversed the principal provinces of this nation, and every where have found an unanimous people overcome with joy—addressing to the army of the three guarantees, the most cheering and gladdening congratulations—and pouring out their ejaculations to heaven on the independence of their country. These demonstrations have given to my inmost soul delights that are inexpressible; and have repaid, with tenfold interest, the fatigues, privations and nakedness of my fellow soldiers of the country, who have, on all occasions, displayed cheerfulness, valor and constancy.

Already you know how to become free; it belongs to you now to deliberate on the means best adapted to secure and perpetuate your happiness. The junta shall be installed, and the congress assembled, and laws prepared, adapted to secure your rights and property.

I must now conjure you to cast away from your minds ungrateful recollections—obliterate from your hearts and language, the odious and frightful word *extermination*, and henceforth substitute in your thoughts and actions, *union* and *unshaken friendship*. It is the duty of every man to contribute to the service of his country, his particular knowledge and experience towards the formation of a code of laws and government. Abstain from the too common practice of satire, and the indulgence of malignant passions. Maintain order, and the authority and respect due to your magistrates, and co-operate with the sovereign congress in completing the great work which I have begun.

Nor let me omit to re-call your regard to that state of things which has, but a short time, been changed, so that you may see what Providence has done for us, in placing in our hands, and committing to American wisdom and prudence, the accomplishment of that freedom and happiness of which we are susceptible.

If all my efforts were due to our country, and that what I may have done should, in your opinion, entitle me to any reward, I ask only this, that you display your devotion and fidelity to the laws, and let me return to the tender embraces of my beloved family, desiring no more than that you will, occasionally, remember with esteem,

Your friend,

YTURIDE.

Mexico, 27th September, 1821.

Latest European news.

The British sloop of war *Hind* has arrived at New York from Portsmouth, bringing London papers of the 10th of November, and Paris dates of the 7th.

The king of England has returned to London. He did not visit Paris, but was waited on by the duc d'Angouleme while at Calais. The journey-men *flax dressers* in Scotland are said to earn from 25 to 30s. a week. The manufacturers at Manchester, &c. are all busily employed. The price of corn was still declining. Despatches from the East Indies announce the success of the British arms against the 'Berri Boo Ali Arabs,' on the coast of the Red sea. The navigation of the Clyde has been so much improved, that a ship of 400 tons burden has entered the port of Dumbarton. This is the first ship that ever entered that port.

The French chambers assembled on the 6th of November—the king's speech is given below. Nothing else of news published.

The Spanish papers have attacked the London Courier for misrepresenting the state of the country—they deny that Spain is the theatre of anarchy, terror, &c. They say that disorder is hushed, and canals commenced, establishments for industry raised, &c. The fever was declining at Barcelona, &c.

The Portuguese cortes was still in session. It is proposed to abolish the orders of the knights of Malta and that of St. John of Jerusalem, and this is thought to be a preliminary step to the destruction of all orders of distinction. The orator quoted Switzerland the United States of America. It was also proposed, by way of encouraging their own manufactures, that all citizens, "*who eat the bread of the nation*," that is, all office-holders, should clothe themselves exclusively in articles of their own production.

The Turkish divan is said to have acceded to the most of the demands of the emperor of Russia, but some difficulties existed as to the guarantee which he required for the Greeks. Certain propositions of the British minister had been rejected by Russia, who is supported by Austria and Prussia. The Turks have prohibited the return home of their troops during the winter, the Russians being still on the frontiers. Tripolizza, the capital of Peloponnesus, is reported to have been surrendered to the Greeks. Persia appears to be at war with Turkey—a son of the Schah is said to have marched against Bagdat at the head of 60,000 men.

Speech of Louis XVIII. on the opening of the session of the chambers.

Gentlemen, it is always with confidence, and on the present occasion, under favorable auspices, that I come to open this session.

In preceding years, I was compelled to participate my griefs with yours.

More happy now, I have only to return thanks to the All-powerful, for the constant protection which he has vouchsafed to France. The son, with which heaven has soothed my sorrows, grows with the public prosperity, and continues to be to me a source of consolation and hope. This child, my heart feels confident, will be worthy of us; he will merit the love with which my subjects surround his cradle.

My relations with foreign powers have never ceased to be amicable, and I have a firm confidence that they will continue to be so.

Great calamities afflict the east. Let us hope that they approach their termination; and that the prudence and cordiality of all the powers will find the means of satisfying what religion, policy and humanity may justly demand.

The naval force, which, under these circumstances, I have stationed in the seas of Levant, has accomplished the object which I contemplated. Our ships have always effectually protected my subjects, and often they have afforded to misfortune a timely aid.

A destructive scourge desolates a portion of Spain. I have prescribed, and I will maintain, the rigorous precautions which protect our coasts and frontier from the contagion.

If we take a view of our domestic state, what motives have we not to bless Providence. The sensible progress of industry, agriculture, and the arts, attests that of commerce; and very soon new channels will, by multiplying the means of communica-

tion and traffic, extend the general good to all parts of the kingdom.

The prosperity of the finances, the intelligible exposition of the public accounts, and fidelity to engagements, have consolidated public credit, and increased the resources of the state.

The period at which I have convoked you, and the orders which I have given that the financial laws should be first submitted to you, sufficiently manifest my desire to put and end to provisional grants: the chambers will, doubtless, be eager to second my intentions.

Our auspicious situation, and the return of internal and external tranquility, have already admitted of a diminution in one of the most onerous of the taxes, that which marks reproduction in its source, by overcharging landed property. Next year, those so assessed, will wholly enjoy this reduction. I desire that successively, and as soon as the exigencies of the state, and the dignity of France will permit, the various taxes which constitute the public revenue shall be investigated, and, if practicable, demonstrated or better assessed.

The laws are respected, and the depositories of my power become every day more and more imbued with their strength. Order and discipline reign in the army.

Every where passions are subsiding and suspicions wearing away; and it gives me pleasure to acknowledge, gentlemen, that by your loyal co-operation, you have powerfully contributed to all this good.

Let us persevere in the wise measures to which such prosperous results must be attributed; let us persevere in that unity of views which has so efficaciously defeated the vigilance, and restrained the last efforts of the spirit of trouble and disorder.

In this, the repose of Europe is not less interested than ours. It is thus that all the generous sentiments will be developed, with which I know your hearts abound, and that you will establish, upon the gratitude, the love and the respect of my subjects, the throne which protects the liberties of all.

"MISERIES." During the last week we received a letter from a subscriber in Kentucky, in which was contained an affidavit made before a justice of the peace (all in ample order), by an indifferent person, that he [the latter, by direction of the former] had, in October last, deposited a letter in the post office at Lexington, addressed to us, and paid the postage on the same, in which was enclosed the sum of fifteen dollars, "in United States paper," which letter never came to hand; but the testimony is so conclusive that the subscriber has been credited for the amount, under our promise to guarantee the safety of the mails. The subscriber adds, that he paid twenty-three dollars in Kentucky paper for these fifteen dollars in "United States paper," and for his zeal to serve us has our thanks, though the issue has been so unfortunate.

There is no remedy for such grievances, unless in the removal of too many postmasters who never attend to their business, and leave the important charge of the mail to "Tom, Dick and Harry"—any body that they can pick up, to nominally perform the duties for which they take care to be paid.

FLORIDA. We learn from St. Augustine, that the expedition to explore the territory in search of land fitted for the cultivation of *coffee*, has succeeded. If such land abounds in Florida, and we think it highly probable that it does, it will cause a rapid

rise in the importance of the country. The great duty now imposed on the article will cause its cultivation to be extended to the utmost, like that of sugar has extended and is extending in Louisiana.

We learn that the citizens of East Florida have signed a memorial to congress, praying that the whole territory ceded by Spain, may be so organized as to have but one territorial government; and, as neither St. Augustine or Pensacola are so located as to be a convenient place for the legislature to assemble, they suggest the designation of some spot on which a city may be erected for the metropolis. The legislature of the state of Alabama has petitioned congress, that the part of Florida which lies west of the Appalachicola may be annexed to that state, which seems to be a reasonable request and will probably be granted—and the house of representatives of Georgia have unanimously passed a set of resolutions for the purpose of obtaining an annexation of the rest of the territory, or the whole of East Florida, to that state: among the reasons set forth for this request, it is stated that a considerable part of Georgia is watered by streams that empty themselves into the gulf, hereafter to become the channels of a great trade, &c.

BANK OF THE UNITED STATES. We see it mentioned in several papers, that an opposition is getting up to the re-election of Mr. Clieves, as president of this institution. We are not informed of the why or wherefore—but rather suppose that the present efforts to remove him will prove abortive.

Of its discounts. The Washington City Gazette regards the adoption of the late resolution offered by Mr. Golden, as to the receipt of usurious interest by this institution, as "evidently a bold dash at the very existence of the bank." It may be so—but the bank is just now too important to the treasury operations to be easily "dashed" down. If things remain as they are, it will become what we have always feared that it would be, the master spirit—before the year 1826: and all, I suppose, that the people have to do is to submit to the government of their government!

MR HAGNER. I apprehend that I shall not have the pleasure to present this gentleman, third auditor of the treasury, the great compliment which I conditionally promised him, a short time since; though I doubt not that he has faithfully labored to deserve it, and more. It appears by the treasury report, that out of the fifteen millions of unclosed accounts on his books, the sum of but 120,000 dollars was realized in the last year, and that the secretary only hopes to get 60,000 in the next. That is, in two years about an *eightieth* part of what had been *previously* unsettled for three years. But the "Intelligencer" says that he has effected *settlements* of the unadjusted accounts to the amount of about five millions, and this is really good:

READY MADE CLOTHING. I observe that my *English* neighbors have opened a shop at Washington city, for the sale of "*London ready-made clothing*," where, I hope, that they will be extensively patronized by all who hold it right that foreign industry should be encouraged, while American tailors—men of the thimble in time of peace, but who nobly carry the musket in war, are in want of employment to support themselves and their families. What is a *mechanic*? Not much in war unless the enemy is to be met—and less in peace, if his "vote and interest" is not required: and "clodhoppers" are of the same class—a very useful kind of cat-

tle, but nothing in the consideration of a *gentleman*—in office. Yet the people love to be fooled, and I say let them be fooled, if they wish it. I am the friend of liberty—though for "me and my house," I shall not use *London* ready-made clothing, let others do as they may.'

NEW-JERSEY. We have noticed the apparent defalcation of the late treasurer of this state—it seems that his accounts have been carefully overhauled, and that the state is really indebted, in a handsome sum of money, to him, instead of his being a defaulter. We are glad of this from the respect that we have entertained for major Gordon—but it goes to shew that there must have been some needless uncertainty in the accounts, which belongs to too many other treasuries—especially that of Maryland, though the honor and honesty of the incumbent is not, in any degree, suspected. We cannot see any reason why such accounts should not be as simply stated as those of a common merchant or mechanic, who keeps a regular set of books.

VIRGINIA. A most unpleasant and unprofitable [shall we add *disgraceful*?] contest is going on between the governor and the executive council, and each have addressed the legislature on the subject. We cannot place the matter fairly before our readers without publishing all the papers, which we have not room to do, if they were of a character rightful to record in this work. The governor, (col. T. M. Randolph, recently re-elected), complained, in rather severe terms, to the assembly of what he put forth as the usurpations of the council—as if they would not let him be the governor; to this the council replied "and were very particular in letting the assembly know that they cared as little for the governor as he cared for them." The latter produced a publication from the governor in the newspapers, in which he promises to examine the matter in detail thereafter, concluding as follows; "To the charge that I have been incapable of meeting the public exigencies from intoxication,* I now make the only possible answer, that there never was a more outrageous *lie* subscribed to by man."

The council have denied any intention to prefer the charge of intoxication against the governor—they say that they "deem it due to truth and their own characters, to declare that they designed no such imputation."

KENTUCKY. About one hundred and seventy dollars, in bills of the bank of the commonwealth of Kentucky, are now given for one hundred dollars in bills of specie-paying banks. The bills of the old bank of Kentucky are becoming very good, and the prospect is that they will be speedily *paid*, unless the legislature, in its wisdom, shall compel this bank to receive the bills of the bank of the commonwealth. We have not room for comment on this state of things, but may refer our readers to our prophecies.

*This supposed to allude to the following sentence in the council's address to the legislature—

"They have looked at, may have been compelled daily to behold the exigencies of the public; and they have concluded the evils to be the same, whether the governor becomes unable to discharge his duties by a visitation of Providence, or by voluntarily subjecting himself to circumstances which place the performance of those duties beyond his power."

PROMULGATION OF THE LAWS. The "National Intelligencer" publishes a list of the editors authorized to promulgate the laws the number is about 70, and the amount that each received for publishing the acts of the last session was 124 dollars, which is more than they usually come to; and the aggregate cost was 8,680—which, when divided among so many persons, cannot be regarded as a matter of much importance to any one of them.

We, a long while ago, doubted if much good resulted from this manner of promulgating the laws. There are 70 papers, and, if we average them at 700 subscribers each, we have 49,000 copies issued, in a detached, irregular and fugitive form—so that not one copy, perhaps, in fifty is preserved or laid aside; probably, the usual acts are not even read by one person out of fifty who receive the papers in which they are published. But the copies thus dispersed among the people, cost the nation about 19 cents each, and an appropriation of 8,680 dollars would have furnished, at a rough calculation, 150,000 copies, if closely printed, but on a good type and paper, in a neat pamphlet form, in which they would be preserved for reference and use. It is two or three years, we believe, since this subject was mentioned in this paper, and we really think that it is a matter worthy of the consideration of the secretary of state and congress: and if, for the convenience of distribution, the United States should be divided into four great districts, in each of which a quantity of the laws should be printed in pamphlet form, the cost would not be increased thereby more than 5 or 600 dollars for the whole. It is very certain that the present mode of promulgating the laws is of very little practical benefit—and when any important law passes, the printers are always prompt to give it as an article of news—those that are not paid for publishing as readily as those that are, which will ever be the case.

Since the above was written, the editors of the "National Intelligencer" have corrected their statement—it was for the laws of the session before the last that they received 124 dollars—and say that the average is about 75 dollars: this, however, has no material effect on the general principles set forth in the preceding statement. If the quantity of cost is less, so is that of matter and of expense in publication in pamphlet form.

PUBLIC LANDS. Other bills are up in congress for a further extension of credit to the purchasers of public lands. The statute book is disgraced by such acts. We would seriously advise the passage of an act directing that the debtors for lands should satisfy their debts "sixty days after it is convenient," if convenient then; and so prevent any further needful legislation on the subject.

PUBLIC LANDS FOR THE PURPOSES OF EDUCATION.—We have been anxious to publish a review of the report of the legislature of Maryland, on the appropriation of public lands for the use of schools, from the "North American Review," for October last—but its great length has prevented its insertion. We have, however, laid the original report before our readers, as well as the reports of the different legislatures that have acted upon it, as an amendment to the constitution of the United States. It has been rejected, we believe, only in one state, (New-York), and there is much probability that it will finally prevail. Indeed, we cannot see why it should be opposed, for the claim seems to be one of common justice; and we are at a loss to conjecture any reason why the people of the western

states, for whose benefit the public lands have been appropriated for the purposes of education, should object to the like favor being extended to the old states, which won, or obtained, the right to all the public lands. "Equality is equity—conformity is justice." The greatest doubt appears to be about the manner in which the right of the case may be managed—but this should not defeat the purpose; surely there is discretion enough to direct this.

A committee of the legislature of Tennessee has advised that a decision on the subject of the Maryland resolutions should lie over. The governor of Ohio, in his late message to the legislature of that state, advises a protest against the passage of these resolutions.

AFRICAN COLONIZATION. It appears that the agents of the American colonization society have succeeded in purchasing a tract of land at St. John's river, or Grand Bassa, of king Ben; for which they are to pay an annual tribute of two casks of rum, two casks of manufactured tobacco, one box of pipes, twenty pieces of cloth and some other articles. The settlers, at our last accounts from them, were at Foura Bay, in the colony of Sierra Leone, but would proceed to Grand Bassa as soon as the rainy season was over. They have encountered many hardships, but are reported as not being discouraged—on the contrary, they appear to be filled with a confidence of success and reward for their sufferings. Many had been sick; but their diseases generally yielded to medicine. Some however, had died, among whom the rev. Joseph R. Andrus, one of the agents.

KALEIDOSCOPE. A work under this title, to be ornamented with engravings, is proposed to be published at New-York, edited by a society of gentlemen. Its plan appears to be that of a literary work, similar to what the "Port Folio" was, except in its hatred to the rights of man; but this is not intended to partake of a political character at all. We are privately informed that the gentlemen engaged to support it are well qualified to execute the task, and we wish them success. It is to be published in monthly numbers, in 8vo. six of which are to make a volume of 384 pages; each number to be embellished with an engraving, at \$6 per ann. payable in advance by those to whom it shall be remitted by post.

HARTFORD CONVENTION. The eastern papers notice in "due form," the anniversary of the meeting of this convention (the 15th Dec. 1814), and call the gentlemen that composed it "blue lights." But this is the "era of good feelings," and such "wicked" things should not be published.

SENTIMENTS OF TENNESSEE. On the 23d ult. a great public dinner was given by the citizens of Nashville to general William Carroll, governor of the state of Tennessee, at which were present gen. Andrew Jackson, and Messrs. Grundy, Dunn, Fentress, and Miller, members of the legislature of the state. Among the toasts given we find the following:

The union of the states.—The patriot contemplates a severance with horror, and avoids the course that leads towards it.

The next president.—The American people will elevate the man of independence, talents and integrity.

By G. W. Gibbs, esq. *Our yankee brethren.*—I guess we had better be friends; they want our cotton, we want their ships and other notions.

By J. P. Erwin, esq. *Our yankee brethren.*—We like their *tricks* at Bunker's Hill, lake Erie, Plattsburg and Champlain.

MAPLE SUGAR. The Geneva (N. Y.) Gazette states that 73,905 lbs. of maple sugar were made in the town of Phelps, during the last spring.

[By *Spafford's Gazetteer* we learn that Phelps is a township of Ontario county, about ten miles long and eight broad, and thickly settled with industrious farmers. The late census shews that it contains 5,688 inhabitants, or 71 to the square mile; by which we learn that a dense population may be sustained even in a sugar-maple growing country; and the importance of the object, we hope, will generally induce the farmers to preserve these valuable trees. The crop of sugar in this little township, was worth 8,868 dollars—*clear gain.*]

HEAD WATERS OF THE MISSISSIPPI, &c. Mr. Schoolcraft, who accompanied governor Cass, &c. in the late expeditions to the north-west, estimates the altitude of Cassina lake, at the sources of the Mississippi, at 1330 feet above the Atlantic ocean; that of lake Superior is put down at 641 feet.

LAW INTELLIGENCE. In Baltimore county court—the president and directors of the Union bank of Maryland against Nicholas G. Ridgely.

This was an action brought in Baltimore county court against the defendant as one of thesecurities in a bond given by the former cashier of the Union Bank of Maryland, the condition of which was, "that the cashier would faithfully execute the trust reposed in him and perform the duties of the office, &c."* The case was argued during the present term of the court on demurrer to several pleas pleaded by the defendant in bar to the action—one of which was, in substance, that the bond was given under the original charter of the bank, which, by the act of incorporation, was "to continue in force until the expiration of the year eighteen hundred and fifteen, and until the end of the next session of assembly thereafter," and terminated on the sixth day of February, 1817; and that the defendant was not answerable for any loss sustained by the bank in consequence of any misconduct or neglect of duty of the cashier, after the termination of the charter. Judge Dorsey recently delivered the opinion of the court, which, on the above point, was in favor of the defendant. It is understood that all, or nearly all, the claim of the bank, resulted from transactions after the original charter had terminated.

The above decision, is not only important as respects the particular case in which it was made, but will be very extensive in its effects, as a number of actions are depending against the securities of other officers, by the same and by several other banks in this city for very large claims similarly situated. We understand that it is intended to appeal from the decision to the court of appeals, where the several questions made and argued here will receive a final determination.—*Gaz.*

AN INSURANCE CAUSE was decided in the British court of king's bench, on the 30th of October last, which is worthy of notice:

"It was an insurance on mules, asses and oxen, shipped in England for the island of St. Vincents. A number of the animals died on the passage, and

*The cashier had "*defaulted*" the bank of a large amount.

Ed. Reg.

the underwriters refused to pay, on account of an exception in the policy, from mortality or death. It, however, appeared, that the deaths were occasioned by the perils of the sea. The words in the policy, said the lord chief justice, meant death from natural causes—that there might be a remote cause to superinduce natural death, but, as the policy was not explicit, the underwriters could take no advantage of it, and judgment was given for the plaintiff, Wm. Lawrence."

NATIONAL CLAIMS. *From the Portsmouth Journal.* France, by her late claims on the U. States, is disposed to avail herself of the provisions of the Louisiana treaty, made with the *late* existing government of that country. This is acting on a perfectly correct national principle—that every act done by an existing government is, under every change of circumstances, still a national act. On this ground ought the government of the United States to stand, and demand of France compensation for all our property illegally captured, almost without pretence of right, and condemned!

Great Britain has acted on this principle with France, and has demanded and received, in an ample manner, compensation for all their illegal confiscations, as the following extracts will show.

PARIS, 30th May, 1814.

(Confirmed 20th Nov. 1815.)

Art. 2. The British and French governments shall name without delay, commissioners to liquidate, &c.

The commissioners mentioned in art. 2d. shall undertake the examination of the claims of his Britannic majesty's subjects upon the French government, for the value of the property, moveable or immoveable, illegally confiscated by the French authorities.

France engages to ratify the report of the commissioners, and to discharge the sums due.

Art. 6. The vessels, ships, cargoes and other moveable property, which shall have been seized and confiscated, either to the profit of France, or to the profit of his most Christian majesty, in conformity to the laws of war, shall not be admitted to the liquidation.

Done at Paris, 20th Nov. 1815.

CASTLEREAGH,
WELLINGTON,
R'CHLIEU."

[Extracts from Hertslet's Collection of treaties and conventions, vol. 1, page 263, 287—printed 1820.]

RUSSIAN AMERICA. In an imperial ukase, dated St. Petersburg, Oct. 4, the following, among other regulations, are laid down for the trade of the Aleutian Islands, and in the Russian possessions on the north west coast of America:

"Sec. 1. All trade, whale fishing, fishing in general, and every branch of business in the ports and bays, and in general along the whole north west coast of America, from Behring's Straits to 51 degrees, north latitude as also along the Aleutian Islands, and on the east coast of Siberia, and along the Kurile Islands, that is to say, from Behring's Straits to the south cape of the Island of Oooroop, in 45, 51, north latitude, are permitted to Russian subjects exclusively.

"Sec. 2. Every foreign vessel is consequently prohibited, not only from landing on any of the coasts or islands specified in the foregoing section, but also from approaching them within a less distance than one hundred Italian miles. Whoever

shall violate the prohibition is liable to confiscation of ship and cargo," &c.

The Paris Journal des Debats, makes the following remarks on this ukase

"We must observe that this is the first known act of sovereignty by which the emperor of Russia determines in a fixed manner, the maritime limits of the immense territory hitherto described under the vague name of Russian America. The ukase comprehends within its limits a great part of the discoveries of Cook, Vancouver, and Quadra; but it appears to limit considerably the extent of the Russian establishments, which, according to the latest voyages, already touched upon California. There remains still to be determined the inland boundary, where Russian America approaches the territories held to belong to the English United Company of Canada and Hudson Bay. It is a great phenomenon thus to see two European powers, having made the tour of the globe, each from his own side, meet and come in contact in regions yet scarcely known.

"The provisions of this ukase are interesting not only to the English and the Americans, but also to French navigators, who, following the traces of Marclant or Balguerier, may undertake expeditions for commerce or fishing in these distant coasts."

There have been some late proceedings in the house of representatives, as to the transport of cannon, &c. to the mouth of the Columbia river, and it is not impossible that we may get into a dispute with Russia in regard to our claim to the jurisdiction of the country presumed to have been ceded by the purchase of Louisiana, and since adjusted with Spain.

The "National Intelligencer" has some remarks on this subject, and thinks it probable that the Russian ukase grew out of a report made to the last session of congress by Mr. Floyd. "If so, it is a denial of the United States to any part of the north-west coast, north of 51 degrees." Our claim is stated as being positive to the 53d degree, and as presumptive for a further extent; but the emperor of Russia has made it penal for the ship of any foreign nation to fish, or do business further north than the 51st degree: nay, foreign vessels are warned from approaching within 100 Italian miles of that degree, being two degrees and 100 miles further south than the report above alluded to put down as indisputably within the sovereignty of the United States. It appears likely that the ukase is simply intended to contest the right of this claim. The Intelligencer observes—"The report of the committee of the house of representatives of last session, affords a key to this decree, which, we apprehend, is to be found in the following passage of the report of the committee of congress:

"The committee believe, from the usage of all nations, previous and subsequent to the discovery of America, the title of the United States to a very large portion of the coast of the Pacific ocean, to be well founded; nor have they been able to ascertain that any other government than Spain has made claim to any part of it, from Cape Horn to the sixtieth degree of north latitude."

"It is now beyond doubt, that another government than Spain lays claim to a part of that territory south of the sixtieth degree of north latitude, viz. to the fifty-first degree, being a difference of nine degrees only!

"If this decree, therefore, appearing just at this moment, has no other effect, it gives interest to the proceedings in congress relative to a settlement at the mouth of the Columbia river. It will not be a matter of surprise to us, that it have the effect to

procure the passage, in congress, of an act to authorise the establishment of a post at the mouth of the Columbia, which, however earnestly proposed by the mover, has, hitherto, hardly been seriously entertained by the house whose attention has been called to it.

"With regard to the true northern limit to the claim of the United States on that coast, should any difference finally appear to exist between Russia and the United States, there can be no doubt of its being amicably settled the moment it becomes a point of discussion between the two governments. When Russia and the United States fall out, it will not be about any thing so unimportant, we hope, as the nominal title to a degree or two of almost undiscovered land."

[The Columbia river is laid down in the 46th degree of north latitude, and Mellish's last edition of his map, claims for us only to the 49th degree, as a straight line running east and west from the presumed northern point of boundary between us and the British claims to the west—starting from the southern extremity of the "Lake of the Woods." But, even if the emperor of Russia should make good his claim to the 51st degree, we guess that there will be a region of country large enough left for us.]

The Yellow Fever in Spain.

London, Nov. 2. The following private letter, which we take from the Journal des Debats, gives a truly afflicting picture of the suffering and mortality caused by the yellow fever at Barcelona:

Barcelona, Oct. 17. I wrote to you by the last courier, at a moment when I was scarcely able to hold the pen, in a state of high fever. I have forgotten all the details which I sent you—Ah! my dear brother, if you beheld my situation; I am the most wretched of men. We were eight in number, shut up in this one house. From the 7th of October we had communication with no human creature. What a mischance! when on the 10th inst. we heard knocking at the door. We went to look out at the window. Sanalapan was called in order to be informed that his son was taken ill. At this news the wretched father cried out repeatedly, "my son, my son has taken the infection, I will see him!" The mother, who was in the house, appeared as wretched as the father. They went out in haste, and returned in a quarter of an hour with their sick son. It was in vain that we remonstrated with them upon the danger of introducing him. As they were the porters of the house, we could not prevent their entering. Heavens! What imprudence! What calamity ensued! The son was put to bed—in 24 hours he expired. The mother was soon seized with the contagion, also the father. Between the 10th and 14th, eight of us had caught it. Of these eight, five were carried off, and my daughter is at her last hour. The French physicians visit us twice a day, and give some hopes of recovery. To be prepared for the worst, I have made my will, which is deposited at the parish church of St. Michael. To-day I have been upon the ramparts searching for some herbs for my daughter. On my way along, I encountered at least twenty carts loaded with dead. There are still ten thousand dead in the town. At Barceloneta there is not a soul left—"All the world" is dead. The worst of it is that the bodies are left to horrible putrefaction in the houses. It is impossible to stir out without shedding tears. Terror is at its utmost. At this mo-

ment I am looking on, whilst the beds, the mattresses, the coverings, and the bodies of the victims are thrown out of the windows into the street. In some streets there is not a sufficiency of carts, and some hundred bodies are left in heaps upon the pavements. If I said the deaths, are a thousand a day, I should not exaggerate. I believe the number is greater. I believe all those in the town will perish. M. Pararet, the French physician, has this instant visited my daughter for the last time. He announces to me the death of one of his colleagues, M. Mozet. Another, M. Baily, is dangerously ill. They will no longer remain in the town, because the general who commands the first cordon, will not consent to fall back a league. Our doctors wished that every body should go out of the town; and since that is not allowed, it is impossible to check the plague.

Public Papers.

Message from the president of the United States, in relation to the execution of the resolutions directing the journal of the convention which formed the constitution, and the secret journal and foreign correspondence of the old congress, to be printed.

HOUSE OF REPRESENTATIVES, DEC. 17, 1821.

To the house of representatives of the United States:

By a resolution of congress, approved on the 27th of March, 1818, it was directed that the journal, acts, and proceedings of the convention which formed the present constitution of the U. S. should be published, under the direction of the president of the U. States, together with the secret journals of the acts and proceedings, and the foreign correspondence, (with a certain exception) of the congress of the United States, from the first meeting thereof, down to the date of the ratification of the definitive treaty of peace, between great Britain and the United States, in the year 1783, and that one thousand copies thereof should be printed, of which one copy should be furnished to each member of that (the 15th) congress, and the residue should remain subject to the future disposition of congress.

And, by a resolution of congress, approved on the 21st April, 1820, it was provided, that the secret journal, together with all the papers and documents connected with that journal, and all other papers and documents, heretofore considered confidential, of the old congress, from the date of the ratification of the definitive treaty of peace, between the United States and Great Britain, in the year 1783, to the formation of the present government, which were remaining in the office of the secretary of state, should be published under the direction of the president of the United States; and that a thousand copies thereof should be printed and deposited in the library, subject to the disposition of congress.

In pursuance of these two resolutions, one thousand copies of the journals and acts of the convention which formed the constitution, have been heretofore printed and placed at the disposal of congress; and one thousand copies of the secret journals of the congress of the confederation, complete, have been printed; two hundred and fifty copies of which have been reserved to comply with the direction of furnishing one copy to each member of the 15th congress. The remaining seven hundred and fifty copies have been deposited in the library, and are now at the disposal of congress.

By the general appropriation act of 9th April, 1818, the sum of \$10,000 was appropriated for defraying the expenses of printing done pursuant to the resolution of the 27th March of that year. No appropriation has yet been made to defray the expenses incident to the execution of the resolution of 21st April, 1820. The whole expense, hitherto incurred in carrying both resolutions into effect, has exceeded, by \$542 56 the appropriation of April, 1818. This balance remains due to the printers, and is included in the estimates of appropriations for the year 1822.—That part of the resolution of the 27th March, 1818, which directs the publication of the foreign correspondence of the congress of the confederation, remains yet to be executed, and a further appropriation will be necessary for carrying it into effect.

JAMES MONROE.

Washington, Dec. 16, 1821.

Report of the committee of claims, on the petition of sundry citizens and merchants of Baltimore, praying compensation for damages done their vessels, sunk in the harbor of Baltimore, during the late war, accompanied with "a bill for the relief of sundry citizens of Baltimore."

HOUSE OF REPRESENTATIVES DEC. 17, 1821.

The committee of claims, to which was referred the memorial of sundry citizens of Baltimore, report:

That, in the month of September, 1814, sundry vessels belonging to the memorialists were taken by public authority, and sunk at the mouth of the harbor of Baltimore, to prevent the vessels of the enemy from entering that harbour.

On the 7th March, 1815, the secretary of war wrote to colonel Paul Bentalou, quarter-master general, at Baltimore, as follows: "As the owners of vessels which were sunk at Baltimore will now become very importunate, and as you probably cannot raise them fast enough to meet their wishes and expectations, you may therefore permit individuals to raise their own vessels for a stipulated sum; or in such other manner as may, in your opinion, be compatible with the public interest, as it is my wish that you should give every facility to the raising of those vessels, which may be consistent with economy and public interest. As there no doubt will be many applications to congress, by individuals owning those vessels, for compensation for damages, by injuries, either to their vessels or rigging, while sunk, it would be advisable that such damages should be duly ascertained in such manner as you may think best, at the time the vessels are respectively raised, and a report thereof made to this office."

In pursuance of these instructions, three respectable citizens of Baltimore, one an "experienced" ship carpenter, one a ship joiner, and the other a ship chandler, were appointed to survey the said vessels, and appraise the damages; and, in the month of September following, a return of the amount assessed upon each vessel was made to the secretary of war; and, in April, 1816, an appropriation was made to the amount of the several sums thus assessed, which was subsequently distributed among the claimants.

On the 7th of January, 1817, the owners of the vessels presented their memorial to congress, claiming a further allowance, alleging that the sums previously awarded them was "not sufficient to pay one fourth the expense of repairing;" and that the appraisement of damages had been made without "their knowledge or concurrence." Upon this

Memorial, there has been no decision by congress, and, on the 15th of February, 1820, James H. Cauten, one of the memorialists, urged his claim anew upon the consideration of congress, in a separate memorial; and, to the reasons previously assigned, why farther compensation should be made, has subjoined a claim for a per diem allowance, from the time his vessel was sunk, till the repairs were completed, which he alleges, to have been two hundred and ninety four days. He also alleges, that the vessel was in good repair when sunk, that the repairs after it was raised cost three thousand five hundred and eighty-nine dollars and three cents, and that irreparable injury was done by sinking, to the amount of one thousand dollars, which, with five dollars per day for demurrage, makes an aggregate of six thousand and fifty-nine dollars and three cents, and deducting therefrom six hundred and seventy-five dollars, the amount awarded him by the appraisers, he claims a balance from the government of five thousand three hundred and eighty-four dollars and three cents, being three hundred and eighty-four dollars more than his witnesses prove his vessel to have been worth, before it was sunk.

Equal and exact justice may not have been done by the surveyors who appraised the damages; but it is difficult to perceive what measures could now be adopted that would be more likely to effect the object. The survey and appraisal was made by three of the citizens of Baltimore, of acknowledged skill and respectability; who appear to have commenced their labors on the 26th of March, 1815, and to have concluded them on the 15th of August of the same year, and the minuteness of their survey, (of which their records furnish proof,) together with the time their attention must have been drawn to the subject, forbid the presumption that the business of their appointment could have been lightly passed over. And were it even admitted that they could have been influenced by partial considerations, it would seem at least probable, that their partialities must have inclined them to the side of their fellow citizens, rather than to that of the government. It is believed then, that it would be inexpedient to authorise an additional allowance for damages.

The committee are, however, of the opinion, that, so far as relates to demurrage, the memorialists are entitled to relief; although until the last congress, no claim of that character appears to have been urged upon the attention of congress. Two of the surveyors have certified, (and the fact is also established by their records), that they made no allowance "for the deterioration of the vessels;" and it is equally true, that none was made for the detention from their owners.

As it is impracticable to ascertain what income, if any, would have been derived from the use of the vessels antecedent to the close of the war, had they not been sunk, it is believed as substantial justice as is practicable in the case, will have been done, should a reasonable daily allowance be made, from the close of the war to the end of a necessary period, for repairing the injuries; and for this purpose the committee report a bill.

Legislature of Vermont.

Report of a committee, and resolutions of the legislature of the state of Vermont, on the appropriation of public lands for the purposes of education. October session, 1821.

The committee to whom was referred his excel-

lency's message, accompanied with a report and sundry resolutions of the legislature of the state of Maryland, relative to the appropriations of public land for the purposes of education, and a report and sundry resolutions of the legislature of the state of New-Hampshire, on the same subject, beg leave to report:—

That they have attentively considered the said reports and the resolutions, respectively, predicated thereon, and find them to contain the following principles, which, in the opinion of your committee, cannot be denied or resisted.

That the public lands of the United States, whether acquired by force, or by acts or deeds of cession from particular states, or by purchase from foreign governments, are the common property of the union, and ought to be applied to the common use and benefit of all the states, in just proportions; and not to the use and benefit of any particular state, or states to the exclusion of others; and that any such partial appropriation of them, for state purposes is a violation of our national compact, as well as of the principles of just and sound policy.

And that, as large appropriations of the public lands have been made by the United States (and in the opinion of your committee, with perfect propriety) to certain particular states, for the purpose of education, the rights of other states will be violated, unless a like appropriation be made to them, of the public lands, for the same purposes, in just proportion.

In these principles your committee fully agree with the legislatures of the states of Maryland and New-Hampshire; and believe the arguments detailed in the reports made to the legislatures of those states, respectively, and particularly that from the state of Maryland, to be altogether unanswerable.

The reports and resolutions, referred to your committee, which have been published for the use of the general assembly clearly and irresistibly elucidate and establish the principles maintained, that an attempt, on the present occasion, further, or more ample discussion would be superfluous.

They may be allowed, however, to suggest, that the claims of the state of Vermont, on the subject, may be urged with as much justice, as those of any other state.

The burdens and sacrifices of the revolutionary war, which secured the sources of our national wealth, as well as our independence, were shared, in full proportion, by the people of this state.—At the same time, as this state was not then a member of the confederation, no indemnity was obtained from the United States, though, on its accession to the union, it became subject, equally with the other states, to the burden of the public debt.

Your committee recommend to the general assembly, the adoption of the following resolutions.

Resolved, by the general assembly of the state of Vermont, That each of the United States has an equal right to participate in the benefit of the public lands, as the common property of the union;—and that the states, in whose favor congress have not made appropriations of land, for the purposes of education, are entitled to such appropriations as will be in a just proportion with those heretofore made in favor of the other states.

Resolved, That his excellency the governor, be requested to transmit copies of the foregoing report and resolutions, to each of our senators and representatives in congress, with a request, that they will use their endeavors to procure the passage of an act to appropriate to the use of the state

of Vermont, for the purposes of education, such quantity of the public lands as shall be equitable and just.

Resolved, That his excellency the governor, be also requested to transmit copies of the said report and resolves, to the governors of the several states of the union, with a request that they will communicate the same to their respective legislatures, and solicit their co-operation, to carry into effect the just principles therein set forth.

All which is respectfully submitted, by
HENRY OLIN, *for committee*.

Legislature of Pennsylvania.

Report on the subject of appropriations of public lands, for the purposes of education.

The committee on education, to whom was referred "the message and documents, transmitted by the governor to the legislature on the ninth day of March last, relative to appropriations of public land for the purposes of education," &c. report:

That the subject-matter referred to them comprehends a report and resolutions, adopted by the legislature of the state of Maryland, "the object of which is, to call the attention of congress and the legislatures of the several states, to the public lands, as a fund, from which appropriations for the purposes of education, may justly be claimed, by all the original states and three of the new ones."

Your committee have given to the subject, that attention which its interest and importance demands; and the result is an entire concurrence on the part of the committee, in the views taken by the legislature of the state of Maryland. The report and resolutions adopted by that body, are entered at length on the journal of the senate of the last session, and the facts and principles, upon which the several states, who have not heretofore participated in the appropriations which have been made of public lands, for the purposes of education, may fairly rest their claim to the same, are therein so clearly and satisfactorily elucidated, that it would perhaps, be deemed a work of supererogation in your committee to enter into a particular and detailed consideration of them. It would in effect, be but a repetition of what is already spread before the senate, on its own journal. They therefore confine themselves to a very condensed statement of the most prominent points, embraced in the matter submitted to them.

Prior to the revolutionary war, the crown of Great Britain claimed and exercised the right of disposing of extensive tracts of waste and unsettled lands, lying within the nominal boundaries of the several states.

Shortly after the declaration of independence, it became a question, whether these lands (the right to dispose of which, the crown of Great Britain had, under the provincial government, thus uniformly asserted and exercised), should belong to the United States, or to the several states, within whose respective limits they lay.

It is respectfully submitted, that as the property and jurisdiction of the soil were acquired by the joint councils, arms and means of all the states, combined in one common cause, they could not on any principles, consistent with equity and justice, be regarded in any other light, than as the common property of all the states. This position was early taken and steadfastly maintained, by most of the states, but especially by the state of Maryland.

"By the treaty of peace in seventeen hundred and eighty-three, Great Britain relinquished to the United States, all claim to the government, property and territorial rights of the same, and every part thereof."

At subsequent periods the several states within whose nominal limits these lands lay, ceded all their claims to the same, to the United States—and thus, the federal government, by cession from Great Britain and the states, acquired an incontrovertible title to all the public lands, east of the Mississippi, except a small portion of them, forming the southern extremity of the states of Alabama and Mississippi, which was acquired by purchase from France. All the territory west of the Mississippi, was purchased of France, and the money paid for the same, as well as that paid for extinguishing the Indian title to the public lands, was drawn from the treasury of the United States.

It appearing, therefore, most satisfactorily, that these lands, thus acquired by conquest, cession or purchase, are the common property of the union, it is conceived that they ought to inure to the use and benefit of all the states in fair proportions—and that any appropriations of them for the benefit of any particular state, to the exclusion of others, is "a violation of the spirit of our national compact, as well as the principles of justice and sound policy."

But by the existing laws, relative to the survey and sale of the public lands, one thirty-sixth part thereof, has been reserved and appropriated, in perpetuity, to the support of common schools in the states or territories, within which the lands are situated; in addition to which, appropriations have also been made for the support and encouragement of seminaries of learning of a higher grade, equal it is believed, to one-fifth of the appropriations in favor of common schools.

Such are substantially the grounds, upon which, it is insisted by the legislature of the state of Maryland (and with great cogency of reasoning, as appears to your committee), "that the states for whose benefit no such appropriations have been made, are entitled to ask them of congress, not as a matter of favor, but of justice."

With the liberal and enlightened policy which dictated these large appropriations of public land, for the support of schools and the diffusion of knowledge, in the new states and territories that are arising in the west, no fault can be found. It is essential to the stability and right administration of our government, that the people should be enlightened. Ample and permanent provision for the purposes of education, should, therefore, be regarded as an object of primary importance. But it is an object important alike to all sections of our country; and if it is to be attained by an appropriation of the common property of the union, it is right that every state should fairly participate in the benefits resulting from it.

Such, however, has not been the case: the salutary effects of the appropriations, for the support of schools and the encouragement of science, will scarcely be felt beyond the limits of the states and territories in whose favor these appropriations have been made. They can be regarded in no other light than as an application of national property to state purposes, and hence they are in their nature partial and unjust, unless extended to all the states.

If, then, Pennsylvania have a fair and equitable claim to such an appropriation of the public lands, for the purposes of education, as will correspond

in a just proportion with those heretofore made in favor of the other states, (and your committee conceive that she undoubtedly has), the question arises, whether it is expedient to urge this claim upon the attention of congress. Upon this point also, your committee entertain no doubt. From a calculation, contained in the report submitted to this committee, (which calculation, it is believed, has been made upon correct data), it appears that Pennsylvania is entitled to an appropriation of nine hundred and ninety five thousand seven hundred and thirty-two acres, in order to place her on an equality with those states in whose favor appropriations have already been made. At two dollars per acre, which is less than the average price of all the public lands that have heretofore been sold, this would amount to one million nine hundred and ninety-one thousand four hundred and sixty-four dollars. It cannot be necessary for your committee to point out the important and happy consequences which would result to the commonwealth from the possession and judicious application of such a fund, to the purposes of education. It would enable the legislature, in compliance with the long neglected injunction in our constitution, effectually to "provide by law for the establishment of schools throughout the state, in such manner that the poor may be taught gratis." It would insure to "the arts and sciences" that liberal legislative patronage, which the enlightened framers of our constitution seem to have had in contemplation when they declared that they "shall be promoted in one or more seminaries of learning."

Your committee observe, with pleasure, that a resolution, having for its basis the report of the legislature of Maryland, has already been introduced into congress. It has been arrested in its progress, however, in order that the national legislature may, before acting finally on it, learn what opinion will be expressed by the several state legislatures now in session. To that high sense of justice, which has ever characterized our national councils, each state may, on all occasions, with confidence and safety, submit its claims. If any assurance of success were wanting in the present instance, save that which is derived from the character of strict right and justice which the claim bears, it will be found in the deep interest which so many of the states have, in common with Pennsylvania, in the prosecution of the claim to a satisfactory issue. They will, no doubt, make a simultaneous effort to obtain what is so clearly their right; and, in the apprehension of your committee, the legislature of Pennsylvania would be wanting in duty to the commonwealth, should it suffer the present favorable moment to pass by unimproved.

Your committee, therefore, respectfully recommend the adoption of the following resolutions:

Resolved, by the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly met, That each of the United States has an equal right to participate in the benefits resulting from the public lands, the common property of the union.

Be it further resolved by the authority aforesaid, That the states in whose favor congress has not made appropriations of land for the purposes of education, are entitled to such appropriations, as will correspond, in a just proportion, with those heretofore made in favor of the other states.

Be it further resolved by the authority aforesaid, that the governor be, and he hereby is, requested to transmit copies of the foregoing resolutions to each of our senators and representatives in con-

gress, with a request that they will use their endeavors to procure the passage of an act appropriating to the state of Pennsylvania, for the purposes of education, such portion of the public lands as shall be equitable and just.

Finances of Pennsylvania.

Extract from the auditor-general's statement of the receipts and expenditures for 1821.

"In compliance with your communication, which I had the honor of receiving on the 30th ultimo, calling upon me for information respecting the state of the finances of the commonwealth, during the current year, I have prepared, from official documents, a statement of the receipts and expenditures, from the 1st day of December, 1820, to the 30th November, 1821, both days inclusive, of which the following is an abstract, viz:

RECEIPTS.

Bank loan, p. act of 28th March, 1820	\$100,000 00
Stock loan, per act of 2d April, 1821,	
reimbursable in 20 years	1,000,000 00
Lands and land office fees	31,689 42
Auction duties	58,777 93
Tavern licenses	36,601 51½
Tax on offices	12,610 43
Fees of the secretary of state's office	2,595 85
Dividends on bank stock	116,056 00
Ditto on turnpike and bridge stock	6,800 00
Tax on banks	22,294 51
Auction commissions	18,400 00
Duties on retailers of foreign merchan-	
dise	2,372 64
Militia fines	2,932 29
Exempt fines	4,446 68
Court fines	432 08
Old debts	2,463 12
Miscellaneous	2,113 94

1,420,586 40½

Balance in the treasury on the 1st
December, 1820

27,369 90

\$1,447,956 30½

EXPENDITURES.

Improvements	\$577,259 29
Expenses of government, ordinary	
and contingent	168,096 26½
Militia expenses	17,747 52½
Removal of convicts	5,049 07
Pensions	18,491 33
Pennsylvania claimants	9,545 04
State capitol	46,000 00
Deaf and dumb institution	9,680 00
Education	11,000 00
Penitentiary at Pittsburgh	18,734 40
Penitentiary at Philadelphia	21,000 00
Inspectors of the new prison	6,506 82
Interest on loans	36,158 31
Expenses consequent on the late war	675 93
Miscellaneous	8,362 90
	954,306 88

Balance in the treasury on the 1st
December, 1821

493,649 42½

\$1,447,956 30½

On examining this statement, and comparing it with the estimate of the late auditor-general, made during the last session of the legislature, you will perceive that, while the receipts from the different branches of revenue have been augmented, the

expenditures of public money have decreased. On further examination it will also appear, that the difference in the amount of revenue, between this and the preceding year, will exceed forty-five thousand dollars; and, unless it should experience a diminution arising from causes not anticipated, during the ensuing year, the revenue for 1822 may be expected to improve still more, and the amount of difference, compared with that of 1821, be calculated at \$75,000."

Seventeenth Congress—first session.

IN THE SENATE.

December 20. The president communicated to the senate the following letter from the secretary of state, accompanied by sundry papers connected with the subject thereof, which were read and referred to the committee on the judiciary.

To the president of the senate of the U. States.

DEPARTMENT OF STATE,
Washington, 18th December, 1821.

Sir—By the 12th section of the act of congress of 14th March, 1820, "to provide for taking the fourth census or enumeration of the inhabitants of the U. States, and for other purposes," it was prescribed that, "when the aforesaid enumeration should be completed, and returned to the office of the secretary of state, by the marshals of the states and territories, he should direct the printers to congress to print, for the use of the congress, fifteen hundred copies thereof."

By the third section of the same act, the marshals, respectively, were required, under a certain penalty, on or before the first day of April, of the present year, to transmit to the secretary of state the aggregate amount of each description of persons within their respective districts or territories.

By an act passed on the third of March last, the time prescribed for the marshals and their assistants to perform the various duties assigned to them, by the act of 14th March, 1820, was enlarged to the first day of September of the present year.

The eighth section of the original act for taking the census authorized and required the secretary of state to transmit, to the several marshals of the several districts and territories, regulations and instructions pursuant to the act for carrying the same into effect, and, also, of the forms contained therein of the schedule to be returned, and such other forms as might be necessary, in carrying the act into execution, and proper interrogatories to be administered by the several persons to be employed in taking the enumeration.

And in the tenth section of the act, it was made the duty of the several marshals and their assistants, at the time for taking the census, to take, under the direction of the secretary of state, and, according to such instructions as he should give, and such forms as he should prescribe, an account of the several manufacturing establishments, and their manufactures, within their several districts, territories and divisions; the assistants were required to make return of the same to their respective marshals, and the marshals to transmit the returns and abstracts thereof to the secretary of state, at the same time with the returns of the enumeration.

I have the honor of communicating, herewith, printed copies of the instructions, regulations, forms and interrogatories, transmitted to the marshals, in execution of the eighth and tenth sections of the act.

The returns of the enumeration have not, even to this day, been completely made to the office of this department. Several of those which have been made, have been received since the first of September, the day last limited by law for their reception. The district of Kershaw, in South Carolina, is the only one from which any further return is to be expected, and, by the letter of the marshal of that district, it is hoped that it will be received by the commencement of the ensuing year.

Fifteen hundred copies of all the returns received, including those which have come in since the first of September, have been printed by the printers of congress, conformably to the intentions of the act, and are now at their disposal.

No provision is made in the act for taking the census, with regard to the returns of the manufacturing establishments, and their manufactures. They are at the office of the department, subject to such order as congress may think proper to take concerning them.

The returns which have been received since the first of September have been from the marshals of the eastern district of Virginia, of Georgia, of Alabama, and of Mississippi. The last return from Alabama was received since the meeting of congress, not directly from the marshal, but from the executive department of the state. A copy of the letter received with it, and also of that received from the marshal, with the general return, is herewith transmitted. As there is, by the original census act, a penalty annexed to the failure by the marshals of transmitting the returns within the time prescribed, it is proper to be remarked that this failure does not in any instance appear to have resulted from remissness on the part of the officer in the performance of his duty. The reasons assigned by them all for the delay attending these returns have been the same; namely, that the

compensation allowed by the law was esteemed so inadequate for the services required, that it has been found impossible to obtain competent assistants to undertake them. With regard to the eastern district of Virginia, and the district of Alabama, it is further to be observed, that some incidental obstacles and delays to the completion of the returns resulted from the decease of their respective marshals, and the lapse of time before the possible appointment of their successors, while the taking of the enumeration was in progress. Justice to these officers, who have all manifested a due earnestness in the exertion of all their abilities to complete their returns in season, will, it is hoped, justify the suggestion of a provision by congress to shield them from the possible effect of a penalty for deficiencies which appear to have arisen from causes beyond their control.

I have the honor to be, with great respect, sir, your very humble and obedient servant,

JOHN QUINCY ADAMS.

Mr. Holmes, of Maine, submitted the following resolution for consideration:

Resolved, That the secretary of the treasury be directed to communicate to the senate the names and compensation of the deputies and clerks who are or have been employed by any officer of the customs since the year 1816.

Mr. Thomas communicated to the senate sundry resolutions adopted by the legislature of the state of Illinois in regard to the amendments proposed by the state of Pennsylvania to the constitution of the United States; which resolutions declare the concurrence of Illinois in that amendment, which proposes that congress shall make no law to authorize any bank, or other moneyed institution, except in the District of Columbia, and that every bank so authorized, and its branches, shall be confined to the District of Columbia; also the concurrence of the state in the amendment which proposes to establish an uniform mode of electing electors of the president and vice president of the United States and representatives in congress; also the disagreement of Illinois to that amendment which proposes that no law varying the compensation of the members of congress shall take effect during the time for which the congress shall pass such a law, shall have been elected.

The senate took up the resolution offered on Tuesday by Mr. Williams, of Tennessee, calling on the secretary of war for certain information relative to the subsistence of the army.

On motion, the following clause was added to the resolution:

"Stating the rank of the officers, their number, and the number of the soldiers, in actual service, for each year, together with the amount of their pay and subsistence, from the commencement of the military establishment."

December 21. The senate was wholly occupied this day in preparatory matters to business, to be noticed hereafter. Adjourned to Monday.

December 24. Mr. Knight communicated to the senate sundry resolutions of the legislature of Rhode Island, approving of the Maryland propositions relative to the distribution of a portion of the public lands, for the promotion of education, to those states which have received no donation of that kind, equal to what has been granted to the new states.

A number of petitions were received and sundry bills passed to a second reading.

December 26. The senate did not sit this day, having adjourned until to-morrow.

December. 27. Mr. Knight laid the following resolution on the table:

Resolved, That the committee on naval affairs be instructed to enquire into the rate and amount received per annum for commission or compensation of the several navy agents, and also the mode practised by them in furnishing the navy of the United States with supplies; and that they report by bill or otherwise.

The resolution for the distribution of the secret journal, &c. of the old congress, was considered in committee of the whole, and passed to a third reading.

Mr. Johnson, of Ky. after some remarks, which at this late hour we cannot insert, submitted the following resolution:

"Resolved, That the committee on the post office and post roads be instructed to enquire into the expediency of authorising the post-master-general to permit the post-masters, in the western country, to receive, for postage on letters, the currency of the state in which the said offices are located."

Many petitions were presented and referred—among them one from the bank of the United States "praying certain legislative enactments for the relief of the institution," and another from the Transylvania University of Kentucky, praying for a repeal of the duty on books. A part of this day's sitting was employed on executive business.

HOUSE OF REPRESENTATIVES.

Thursday, Dec. 20. The following is the substance of the remarks offered on the resolution submitted by Mr. Colden, to inquire if the bank of the United States had not been in the practice of taking more than six per cent. per ann. for or on its loans or discounts.

Mr. C. stated the object of the resolution to be, to inquire and ascertain whether the bank of the United States had not violated its charter. It would be recollected, that, by the express terms of the act constituting the bank, this house was authorized to institute a committee to make such inquiry. He had been informed by good authority, that, from its first establishment to the present time, the bank had been in the habit of requiring, and receiving, a greater interest than six per cent. to which it is limited by the charter. The manner in which this was done, was by miscalculation of time, giving to the year only 360 days, instead of 365. This might, at first, appear to be an unimportant matter; but it will be found, on calculation, that, upon the discounts made at that bank, the difference in seventy years would amount to a sum equal to the whole capital of the bank. It was true, that the charter limited the duration of the bank to thirty years; but it was equally true, that it looked forward to a renewal of its charter, and would probably be able to accomplish its object.

Mr. Little opposed the resolution. If the gentleman from New York had documents to prove the fact upon the bank, it would be most proper to issue a quo warranto, and to summon the institution to appear and show cause why its violated charter should not be taken from it. But, if such documents did not exist, he could not, for one, feel willing to leave this place to go as an inquisitor to Philadelphia, to overhaul the proceedings of that bank.

Mr. Smith, of Maryland, had no objection against making inquiry into the subject. He could not say particularly what had been the usages of the mother bank, but, with regard to the branches, he believed it would be found that they had adopted the same rules with regard to the calculation of time, that had been uniformly adopted by other banks throughout the country.

Mr. Tucker, of Virginia, rose to inquire, of the mover if he had other proof with respect to the taking of a greater interest than six per cent. except such as grew out of the substitution of 360 days for 365, in their calculations of annual interest.

Mr. Colden replied that he had—for he also understood that they took the interest of 64 days on a loan for 63 days. But he supposed all subordinate inquiries would fall under that of the general character which he had submitted, and he thought the practice to which the gentleman from Maryland (Mr. Smith) had alluded, however extensive it might be, afforded no excuse to the bank of the United States for an obvious breach of the law.

Mr. Tucker rejoined, that however correct the principle might be, were it introduced for the purpose of settling an inchoate practice, yet, as an usage had been created by common consent throughout the union, he did not feel willing to disturb it. It might create great confusion and alarm. He believed that there were few, if any, banking institutions that did not violate the literal construction of their charters. Not only was this the case, in the two instances to which the gentleman from New York had referred, but also in requiring the interest in advance. This was a compound interest; but no law had forbidden it—and these usages had been adopted, so far as he was acquainted, by every bank in the country. The people had acquiesced in them, and *communis error facit legem*. It was a prescriptive law with which it was not perhaps prudent to interfere. If the bank of the United States, in this particular, were usurers, so were the state banks; and if we undertake to unsettle the custom, the whole country will be put into commotion. The excess which these nice calculations created were small in amount, and *de minimis non curat lex*.—The banks lend their money at 60 days. As the year consists of 365 days, the 5 odd days must be lost by the bank or the borrower, and it has been generally admitted that the fraction should be calculated in favor of the bank: In view of all these considerations he did not think it was expedient for congress to interpose on the occasion.

Mr. Randolph felt under an obligation to the gentleman from New York, for bringing the subject in question under the consideration of congress. In his opinion it was entitled to serious inquiry, nor did he apprehend that the inquiry would produce the effects which the gentleman who had just sat down (Mr. Tucker) seemed to contemplate. The congress of the United States had nothing to do with the state banks; but this institution was within their special cognizance. The difference of time on which usurious interest was exacted was regarded as a trifle! In the exchequer of the gentleman over the way (Mr. Tucker) it might be a trifle: but to the people of the United States it was no small amount. Once in 70 years there was thus exacted from the people an amount equal to the whole extent of its capital, by this body without a soul. And because the system of extortion had extended, it must therefore be continued—and the generality of the offence was to ensure its impunity. In a land that boasted of being governed by laws, he hoped that such a doctrine would not be allowed to prevail. A remedy ought to be applied. An exemption, in his opinion shameful, was last year made in favor of that bank, and he hoped that this congress would not manifest a similar subserviency. Frauds ought not to be sanctioned by this house, whether committed by individuals or by bodies corporate. Mr. R. disavowed any connexion with banking institutions, whether national or territorial, and with respect to most of them, he believed it was true that less said the better.

Mr. Little moved to amend the resolution, so as to refer it to the committee on the judiciary. The motion was negatived, and the resolution adopted as moved.

Friday, Dec. 21. Mr. Lowndes appeared and took his seat.

A number of reports, from the different committees, on private petitions, were received, &c.

On motion of Mr. Condict it was

Resolved, That the committee on roads and canals be instructed to inquire and report upon the expediency of affording aid, by the United States, to any company incorporated under the laws of New Jersey, for the purpose of connecting, by a canal, the waters of the Delaware and Rariton.

On motion of Mr. Nelson, of Md. it was

Resolved, That the commissioner of the public buildings be directed to report to this house a statement of the amount of unimproved property in the city of Washington, belonging to the United States, with an estimate of its probable cash value at this time.

A joint resolution submitted by Mr. Campbell, of Ohio, (in relation to the census), having been engrossed, on motion was read a third time and passed, in the words following:

Resolved, by the senate and house of representatives of the United States of America in congress assembled, That the secretary of state be instructed to furnish to each member of the present congress, and the delegates from territories, the president and vice-president of the United States, the executive of each state and territory, the attorney general and judges of the courts of the United States, and the colleges and universities in the United States, each one copy; for the use of the departments, viz. state, treasury, war and navy, five copies each; for the use of the senate, five copies; and for the use of the house of representatives, ten copies, of the marshals' returns of the fourth census; and that the residue of the copies of the said returns be deposited in the library of congress.

Mr. Mallary submitted the following resolution:

Resolved, That the committee on naval affairs be directed to inquire into the expediency of establishing one or more naval schools, for the purpose of promoting the instruction of such persons as may be intended for the naval service of the United States.

The resolution was negatived.

After some time spent in the consideration of a private claim, the house adjourned to Monday.

Monday, Dec. 24. Many petitions were received—among them were petitions presented by Messrs. Gorham, Eddy and Sawyer, from sundry inhabitants in the respective states of Massachusetts, Rhode Island, and North Carolina, praying for the establishment of a uniform system of bankruptcy, which were severally referred to the committee of the whole.

Mr. Colden presented a petition from certain dealers of hardware in the city of New-York, praying for an additional duty of five per cent. on sales of hardware at auction.

Several reports from committees on private land claims were received.

On motion of Mr. Rochester, it was

Resolved, That the secretary of the treasury be requested to report to this house the quantity of land relinquished to the United States; the quantity on which full payment has been made; and the quantity on which further credit has been allowed under the provisions of the act "for the relief of the purchasers of the public lands prior to the 1st

day of July, 1820," passed March 2d, 1821; distinguishing the amount of the debt on which further credit has been allowed.

On motion of Mr. Moore, of Pa. it was

Resolved, That the committee on Indian affairs be instructed to inquire whether any, and, if any, what change is expedient in the system of our intercourse with the Indian tribes; and also to inquire what further measures ought to be adopted for the promotion of their comfort and civilization.

The following gentlemen compose the committee to report a bill apportioning representatives among the several states according to the fourth census:

Messrs. Campbell, of O. Harvey, Dwight, Durfey, Tomlinson, Mallary, Colden, Holcombe, Baldwin, McLane, Wright, Randolph, Edwards, of N. C. Lowndes, Reid, Trimble, Allen, of Ten. Johnston, of Lou. Hendricks, Rankin, Cook, Moore, of Ala. Whitman, Scott.

Wednesday, Dec. 26. Mr. Russ, of Connecticut, and Mr. Walker, of North Carolina, appeared, were qualified, and took their seats.

Mr. Williams made a report unfavorable to the claims of certain sufferers on the Niagara frontier during the late war—referred to a committee of the whole.

Mr. Campbell, of Ohio, submitted the following resolution:

Resolved by the senate and house of representatives of the United States of America, in congress assembled, That the secretary of state be directed to cause to be classified, and reduced to such form as he may deem most conducive to the diffusion of information, the accounts of the several manufacturing establishments and their manufactures, taken in pursuance of the tenth section of the act, entitled "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes," approved the 14th of March, 1820; and that he cause 1,500 copies of the digest, so to be made, to be printed, subject to the disposition of congress.

On motion of Mr. Lowndes, it was

Resolved, That the report on weights and measures made by the secretary of state on the 22d of February, 1821, be referred to a select committee.

Mr. Rochester called for the consideration of the resolution introduced by him on Monday, requesting information from the treasury department relative to the sales of public lands.

The house agreed to consider the same, and, after some explanations and remarks, was adopted.

Mr. Tucker, of Virginia, called for the consideration of the resolution he had submitted on a former day, so to alter the standing rules of the house, as to admit upon the floor the present and past members of the legislatures of the several states.

The house agreed to consider the resolution, when

[Mr. Tucker explained his views—they were liberal and American. Members of foreign legislatures were admitted, he thought that *our own* should be, &c. Mr. Taylor objected to the manner of carrying the resolution into effect, resting, as it did, on the discretion of the speaker—it would impose an invidious duty upon him. Mr. Baldwin had felt no difficulty from an extension of the rule—he was not pleased that a privilege was extended to a member of the legislatures of Nova Scotia and New Brunswick, that was refused to legislators of Pennsylvania and Massachusetts. Mr. Randolph generally opposed the extension of the rule—he hinted at the admission of ladies, if it was extended: there

was disorder enough in the house already, without increasing the stock of materials. Finally, the question was taken and the amendment lost.]

A communication from the navy hospital commissioners was then read, referred to the committee on commerce, and ordered to be printed.

The speaker laid before the house the following report, prepared in obedience to a resolve offered by Mr. Nelson, of Md. on the 21st instant—

Office of the commissioner of public buildings,
Washington, Dec. 26, 1821.

SIR—In obedience to a resolution of the house of representatives, passed the 21st instant, requiring a report of the amount of unimproved property in the city of Washington, belonging to the United States, with an estimate of its probable cash value at this time, I have the honor to state—

That the public ground consists of two descriptions—1st. building lots, assigned to the United States upon a division with the original proprietors, agreeably to the terms and conditions of the deeds of trust for the ground within the limits of the city, by which proprietors ceded to the United States one half of the public lands without any pecuniary equivalent; 2d. "Reservations" of entire squares or larger sections of ground purchased from the original proprietors on account of, and for the use of the United States.

Any estimate of the cash value of this property, must, under the present circumstances, be extremely arbitrary. Owing to the general stagnation of business, and scarcity of a circulating medium, few sales have been effected, either on public or private account, within the last year or two; and it is only from actual sales in the vicinity, that the value of any given lot can be ascertained. The average price of the public lots, heretofore sold, is \$180 per lot, or about 3.419 cents per square foot. Taking this as the rule of valuation, the whole of the ground belonging to the United States in the city of Washington, would amount to to 1,733,310 dollars.

I have the honor to be, &c. your obedient servant,

SAMUEL LANE,

Commissioner of public buildings.

To the hon. P. P. BARBOUR,

Speaker of the house of representatives.

Thursday, Dec. 27. Mr. Floyd submitted the following resolution:

Resolved, That the president of the United States be requested to cause to be laid before this house an account of the expenditures made under the acts to provide for the civilization of the Indian tribes.

The resolution lies on the table of course.

Mr. Sterling submitted the following resolution:

Resolved, That a select committee be appointed to inquire into the expediency of referring the unsettled claims against the United States, growing out of the late war with Great Britain, to the third auditor of the treasury department, to be settled by him, under the superintendence of the secretary of war, upon principles of equity and justice, or to provide otherwise for the disposition of said claims in such manner as shall be just to the claimants and safe to the United States, and that they have leave to report by bill or otherwise.

The house resolved itself into a committee of the whole, on the case of Peggy Mellen—

The petitioner was the mother of Alfred Stebbins, a natural son, who was a soldier in the late war, and died in the service, without heirs. The mother petitioned to receive the bounty land to which her son would have been entitled, and also

the arrears due him as wages, amounting to about 20 dollars.

The committee had reported in favor of granting the prayer of the petition in relation to the bounty land only.

Mr. Allen, of Mass. moved to amend the bill so as to cover the claim for arrears of pay.

A discussion ensued, in which Messrs. Allen, Campbell, of Ohio, Edwards, of N. C. and Watworth, took part.

The amendment was resisted principally on the ground that it would establish a dangerous principle: that it would be legislating upon personal property, liable to be taken from the mother by an administrator of the estate of the deceased—in which case she would derive no benefit from the provision.

The amendment was negatived; and, thereupon, the said bill was reported to the house without amendment, when the same was ordered to be engrossed for a third reading.

Mr. Tracy submitted the following resolution:

Resolved, That the secretary of the treasury be instructed to report to this house whether in any cases, and, if any, in what cases, and under what circumstances, allowances have been made to public officers in the nature of compensation for discounts paid on bills of exchange or treasury notes, or for damages or interest paid on protested government bills.

The resolution lies on the table of course.

Mr. Randolph made an unsuccessful motion to adjourn until Monday—negatived—ayes 64 nays 66.

The rest of the business transacted this day will appear in its course—nothing of importance was done.

CHRONICLE.

Gen. Jackson—It is positively stated that his resignation, as governor of the Floridas, has been received by the president of the United States.

Gen. Brown, we are sincerely glad to learn, has nearly recovered his health, and the vigor of his mind is not in the least impaired by his late distressing illness.

Bank defaulters. It will be recollected by our readers, that in April last, at Hartford county court, it was decided, by two of the judges, judge Dorsey dissenting, that the charges contained in the indictments against certain bank officers in this city, were not criminal offences against the laws of this state.

The several causes which were so decided, were removed by writs of error to the court of appeals of this state, at Annapolis, which commenced its session on the first Monday of this month, and which was occupied until Saturday last, on hearing the arguments of counsel, when the court, four judges being present, unanimously reversed the opinion of the county court, and ordered writs of *procedendo*, under which the cases will again be tried in Harford county.—*Fed. Gaz.*

The slave trade, under the Portuguese flag and chiefly for the Brazil market, is very actively prosecuted on the coast of Angola. The last accounts name seven or eight vessels then engaged in it, one a frigate-built ship, strongly manned and armed, and fitted to carry a cargo of twelve hundred wretched human beings! "4 tremble when I think that God is just."

Slaves. A French Guineaman, the brig Le Pen-see, has arrived at New Orleans, with 230 slaves on board. It appears that she was captured by a Colombian privateer, and, with the privateer, re-

captured by the United States' ship *Hornet*. The privateer was ordered to another port. Lieut. Armstrong, of the *Hornet*, has charge of the brig—whose arrival in our waters, with the slaves on board, we sincerely regret; in one way or another, they will probably be added to the amount of the great evil of our country.

Extract of a letter to the secretary of the navy from Lieut. commandant James Ramage.

U. S. schooner *Porpoise*, off Matanzas, Island of Cuba, 24th November, 1821.

"On the 4th inst. I received information of a piratical boat off cape Antonio; on the 8th I arrived there, and captured her, loaded with goods. The goods I took on board here. The crew of the captured boat made their escape to the woods on the approach of our force.

From Florida.—From the Florida Gazette of the 1st inst. it appears that capt. Bell returned on the 28th ult. from the Alachua country, after an unsuccessful attempt to obtain a meeting of the Seminole Indians, in consequence of their being dispersed in their hunting expeditions. Capt. B. traversed about 300 miles of the Indian country during his expedition.

The glass cutters of Boston have challenged those of New-York at a trial of skill, for a stake of one hundred dollars.

An Indian woman, named *Hannah Dexter*, the last of the Natick tribe of Indians, was lately murdered by her grandson, in a frölic, at Natick, Massachusetts, aged 76 years.

Deaf and dumb. There are 371 deaf and dumb persons in Pennsylvania, and 18 who are dumb only, as ascertained by the last census; which shews that the deaf and dumb in that state are, about as one to 2700 of the whole population.

Gaming houses. The legislature of Louisiana has received a very severe act against gaming houses. The mayor of the city or parish judges may, at any time, day or night, enter any public house, no matter what name it is called, to ascertain, if games of hazard are played, &c. and the keepers of gaming houses may be fined in the sum of 1,000 dollars for every offence. Kentucky has levied a tax of 500 dollars a year on billiard tables.

Worthy of imitation. We state, with no little satisfaction, that on board the ship *Caledonia*, capt. Donaldson, which lately, sailed from this port, for Canton, was shipped a complete suite of floor cloth, of McCauley's manufactory, in this city, for the dwelling house of the American consul, Mr. Wilcocks, at Canton. They were of the largest size, and of the richest patterns. It will perhaps not be deemed impertinent, to suggest that, if our consuls in different parts of the world, were to follow the example of Mr. Wilcocks, they would essentially contribute to the interest, and reflect credit on, our domestic fabrics. *Phil. pap.*

Vermont. The revenue of this state for the last year was 53,292 dollars; the expenditures 43,382.

Finances of North Carolina. The balance remaining in the treasury Nov. 1st, 1820, was 156,875 dollars 59½ cents. Revenue of the present year, \$150,917 48. Disbursements in the same period, \$193,693 43, ("including treasury notes and other money burnt") Balance in the treasury on the 1st day of November, 1821, \$114,099 14½.

Georgia. An act has passed the house of representatives for the permanent endowment of the university. It appropriates 25,000 dollars for the purpose of erecting a new collegiate edifice at

Athens, and its annual revenue will amount to 8,000 dollars. A bill has passed the senate to reduce the salaries of the governor, judges &c.

Kentucky. The medical school at Lexington, commenced its present session on the 8th ult. under circumstances highly flattering to the professors of the institution. The number of students has increased to about 120—others are still expected.

Bank stock. The following is given in the treasurer's report as the amount of stock owned by the state of Georgia, in the different banks in the state.

By the abstract of the treasurer of the state, it appears that the bank stock owned by the state is of the following description:

5,000 shares in the bank of the state of Georgia, on which has been paid \$100 per share,	\$500,000
5,000 shares in the Darien bank, \$65,	325,000
1,000 do. Augusta bank, \$100,	100,000
1,000 do. Planters' bank, \$80,	80,000
12,000 shares.	\$1,005,000

The balance of cash in the treasury on the 4th of Nov. 1821, amounted to \$145,316,607

A mathematician. Jedediah Buxton, Zerah Colburn and others, are well known to have adopted for their own use, some methods of calculation easier than those resorted to by our best scholars, even if Algebraic. There is now an ore-washer at the iron works near Luray, Shenandoah county, Virginia, a young man named *Benjamin Cabbage*—a person that cannot either read or write, who seems to rival any that has gone before him. His extraordinary memory and faculties have not long developed themselves. His manner of resolving different questions in his mind, and the extent to which his memory goes, may be gathered from the following brief extract from an account of him recently published—"His mode of operating is novel, though susceptible in most cases of explanation. In multiplication he appears to dissect the sum proposed, thereby increasing the number of multiplicands, or multipliers, yet lessening the number of figures in each; for example, when asked the square of 37,534,345, he answered with precision, 1,408,828,054,579,025, and when requested to explain his mode of proceeding, observed, that he multiplied 37,534,345, successively by 37,000,000,—500,000—34,000—345; and that the several products, when added together, made the square of the number proposed."

The Lehigh. Nineteen arks, with coal, arrived at Philadelphia on the 29th ult.

Tobacco. The entire export of 1821, the year ending on the 1st of Oct. was 67,056 blids. of all descriptions. In 1820, it amounted to 83,829 blids. making a difference of 17,767.

Manilla cotton. Com. Porter having received some of the seed of this cotton, forwarded it to Mr. Skinner, editor of the "American Farmer," who carefully distributed it. The Manilla cotton is of short staple, but remarkable for its softness—resembling silk.

Turnips. Col. Thomas Hillen, a valuable farmer living a short distance from Baltimore, has lately published an account of a crop of turnips raised by him. He cultivated three acres, one fourth and 14 perches, and his calculation of the product of that quantity of land amounts to 101,565 lbs. of trimmed turnips, or about 1,660 bushels. Many of them measured from 25 to 30 inches in circumference.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 19—Vol. IX.] BALTIMORE, JAN. 5, 1822. [No. 19—Vol. XXI. WHOLE No. 539

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

"Exchange of papers." A week seldom passes without an application from some of our brother editors for an exchange of papers. Our list, as to such, is already inconveniently extensive. We cannot enlarge it, unless on a payment of the difference in price, and must soon further reduce it in cases wherein such differences are not paid.

THE NEW YEAR. The editor presents to his readers the compliments of the season, and had also prepared a body of remarks suitable thereto—but the papers of a more solid nature that fill this sheet, has caused a postponement of his desultory observations on things in general."

The editor feels a pleasure, more gratifying to himself than the hope of profit dependent on the fact, in stating his belief, that this work, like our country at large, has passed through the severest trial of the times. Its subscription has lately had a regular increase, and there is an increased attention to keep the establishment supplied with the "essential oil" from many parts of the union. For this he is thankful; and, hoping that every one interested, will enquire "what there is between him and us," we promise to persevere in the old tract of "measures and not men," to the best of our ability. Calling to the recollection of all, that "a difference of opinion is not always a difference of principle," and that "error may be tolerated when reason is left free to combat it." We shall endeavor to treat all men respectfully, for "truth is a victor without violence," but public acts of interest to the people shall be examined, without favor or affection as to their authors, and without regard to any other effect than to produce what we shall really believe to be the good of the country. We shall not denounce any man, though the old doctrine of responsibility in public officers, and specific appropriations as to money matters, shall be maintained—if it so pleases the patrons of this work; otherwise we shall feel compelled to pass it into other hands, and under some new modifications. But there is no prospect of this at present—the ground taken by the "REGISTER" has so far been maintained by the people, and the expectation is, if this publication is useful, that it will become more and more extensively so.

It may be proper to add, that the editor expects to be in Washington City until, perhaps, after the next publication, which may account for any personal communications that may remain unanswered until his return. The business of the office will be attended to as usual.

THE SINKING FUND. We publish a report of the committee of ways and means, in relation to this fund. Neither time or room is afforded to examine it now, and we fear to surfeit our readers with any more matter in the present sheet on the subject of finance; but it is an extraordinary paper, on which we shall make some free remarks hereafter—it is as "gloomy as the grave" in which the sinking fund is now actually deposited, though spoken of as being alive and in full vigor! It was the most unwelcome close of the business of a year that we ever received, in regard to the things to which it relates—though not worse than was expected.

Vol. XXI.—19.

UNSETTLED ACCOUNTS. We have only time just now to invite attention to the truly excellent report of the third auditor of the treasury, Mr. Hagner, (see page 297), and shewing the great progress that he has made in effecting settlements of the old accounts of the war department. Of this officer's zeal, industry, and knowledge of business, we have always heard the most favorable testimony—and, though we have spoken of the accounts under his care, have always rendered to him the praise which we thought was his due. It appears that he has reduced the aggregate of balances which stood on the books as due for three years, to Sept. 1820, from more than 15,000,000 down to \$5,724,710. A Herculean business, for which we thank him sincerely. The "settlements" are of trifling amount, but settlements were desirable; we wished that the amounts should be off the books, and have been gratified. We expect again to refer to this document with pleasure, and notice it more particularly.

FOURTH CENSUS OF THE UNITED STATES. The following are the aggregates of the population of the several states and territories, as ascertained by the late census. We shall speedily commence a publication of the tables at much length, and in comparison with the preceding censuses, as hitherto promised. The amount is 9,625,734—calculated by us at 9,964,178 in 1816; see vol. XI, page 35.

Maine, :	:	:	:	:	298,335
New Hampshire, :	:	:	:	:	244,161
Massachusetts, :	:	:	:	:	523,287
Rhode Island, :	:	:	:	:	83,059
Connecticut, :	:	:	:	:	275,248
Vermont, :	:	:	:	:	235,764
New York, :	:	:	:	:	1,372,812
New Jersey, :	:	:	:	:	277,375
Pennsylvania, :	:	:	:	:	1,049,398
Delaware, :	:	:	:	:	72,749
Maryland, :	:	:	:	:	407,350
Virginia, :	:	:	:	:	1,065,366
North Carolina, :	:	:	:	:	638,829
South Carolina, except Kershaw district }	:	:	:	:	490,309
Georgia, :	:	:	:	:	340,989
Alabama, :	:	:	:	:	127,901
Mississippi, :	:	:	:	:	75,448
Louisiana, :	:	:	:	:	153,407
Tennessee, :	:	:	:	:	422,613
Kentucky, :	:	:	:	:	564,317
Ohio, :	:	:	:	:	581,434
Indiana, :	:	:	:	:	147,178
Illinois, :	:	:	:	:	55,211
Missouri, :	:	:	:	:	66,586
Territory of Michigan, :	:	:	:	:	8,896
Territory of Arkansas, :	:	:	:	:	14,273
District of Columbia, :	:	:	:	:	33,039

Grand total, 9,625,734

FOREIGN NEWS. The British sloop of war that recently arrived at New York, was sent in pursuit of a person who had been a cashier or clerk in the British navy department, who had eloped and was found to be defaulter to the amount of about 20,000? sterling. He had recently arrived in the

ship Comet, was immediately taken at his lodgings in New York, and the chief part of the money recovered. From the hot pursuit, we should suppose that defaulters, at least little ones, are getting out of fashion in England—if so, it is one of the *English* fashions that we should like to see followed in the United States, as to little or great ones.

A convent at Oporto has lately been visited by a judge of the criminal court, who released from its dungeons a fair Gabriel, who had been confined since the year 1813—a miserable specimen of human suffering. We are glad to see this interposition of the law.

The pirates who have their home in Cuba, are still committing numerous outrages on persons and property. We fear that they cannot be destroyed without the co-operation of the local authorities of that island. They hug the shore so close that, as yet, they have escaped the hottest pursuits after them. A British man of war brig has captured a piratical brig near Old Providence, and found 44 persons on board, whom she carried to New Providence for trial.

We have already noticed the French slave ship sent into New Orleans, by the U. S. ship Hornet, re-captured from the Venezuelan privateer Centinella, of 13 guns and 109 men, also taken by the Hornet—which vessel has arrived at Pensacola with the privateer in company, and proceeded to New Orleans.

The people of St. Jago de Cuba are said to be so incensed at the efforts of the United States to suppress the slave trade, as openly to rejoice at the piracies committed on our commerce by the miscreants that reside in the island. They consider the latter as a "fair retaliation" on the former—yet they daily tremble at the idea of an insurrection of the blacks!

In Colombia, all things appear to be going on well. The funds and establishments of the "holy" inquisition have been diverted to the purposes most hostile to that abominable tribunal—to education. The nunneries are suffered to exist, but under the express condition that their inmates shall not be excluded from an intercourse with the world, and that they shall undertake the duties of female education. Some strong laws have been enacted to compel fathers to send their children to school, or to give them up, so that they may know the rights and duties of citizens. The illustrious BOLIVAR still grows in our esteem. We wish that the people of the United States may become familiar with his character. He aims at a recurrence to the original principles of right in a free people—the sphere in which he acts is on a lesser scale, but the acts themselves are second to those of no other patriot that ever preceded him—our own beloved WASHINGTON only excepted; and we regret that we have not room to give many interesting public papers to shew his devotion to the cause of freedom.

As to Buenos Ayres, the "Aurora" says—"We have received some letters and papers from Buenos Ayres, down to the 10th October. The government gazette contains a copy of an official paper, being the credential letter of a Portuguese *charge des affaires*, addressed to the governor of the republic of La Plata; wherein that government is notified of the acknowledgement of the independence of that state, and of the other states of South America, which have established governments, and are recognized by the several people.

The affairs of Buenos Ayres were very prosper-

ous, and the public affairs conducted with sagacity, moderation, and liberality."

Joseph Carrera, and a few officers (captured) are all that survive of the force lately under his command—their word was "victory and extermination." They were defeated by the army from the province of Mendoza, and all were destroyed or captured, and afterwards shot, except Carrera and a few of his officers. Since then, a great degree of order among the various provinces appears to prevail.

Latest from Europe.

By an arrival at Charleston, London papers of the evening of the 13th Nov. have been received. The following is a brief summary of the chief things which we have seen extracted from them:

It is yet quite uncertain whether or not Russia will make war upon Turkey. One report says that hostilities had actually commenced; an other that there was no present appearance of a rupture! The Greeks fully maintain their ground, but there are no particulars of any remarkable thing that has happened since our last notice of their proceedings.

An article from Hermanstadt, of Oct. 21 says—"The Sultan will not listen to any thing about rights, and still less to concessions, and he is resolved, in case of war, to put himself at the head of the Turks to combat the Russians."

The Turkish troops are ordered to remain in their quarters, and in the most efficient state of preparation; as though an enemy was close upon them.

A great fire lately happened in Constantinople, at which the sultan did not make his appearance *as is the custom*; which has caused much speculation.

The yellow fever was declining rapidly at Barcelona, &c. and a hope was entertained that it would soon entirely disappear.

Ireland remained much disturbed, and troops were marching into the interior: The spirit of insubordination was spreading rapidly.

BARNA BIDWELL, formerly a member of congress from the state of Massachusetts, has been elected a member of the parliament of Upper Canada.—When about to take his seat, his right to it was contested on the score of *allegiance*, as well as on account of a certain *defalcation* that he had made when treasurer of one of the counties of his native state. But the parliament decided that he had a right to change his *allegiance*, and admitted him to a seat; taking measures, at the same time, to collect evidence as to his *defalcation*, in *Massachusetts*, and thereon disqualify him as a member of parliament in *Upper Canada*! This is one of the most extraordinary proceedings that we ever heard of—and one of the rankest persecution. Mr. Bidwell may have been, and yet may be, an unworthy man; but how the parliament of Canada can have jurisdiction over an offence committed in and by a citizen of the United States, we are at a loss to imagine.—His conduct, as a *subject* of king George, is all that they have any right to regard.

This unfortunate man was a zealous and active politician in Massachusetts when parties ran so high in that state, that every man, who supported the government of his country, was denounced in terms that it would not be thought *genteel* to repeat in this "era of good feelings!" Even the pulpit teemed with scandal and detraction, and intimated its anathemas against all that were opposed to the "bulwark of our religion;" and members of

congress were pretty nearly mobbed because they had supported the legitimate authority of the United States! In this state of ebullition, poor Bidwell gave his enemies an opportunity to *open* upon him—as county treasurer, he fell short in a small sum, a hundred or two dollars, we believe, which it is probable he would have easily made up, if he had been allowed to do so. But the whole force of party rancor fell upon him—he was every where posted and published as a villain, and shunned by all as if he had had the plague. He wanted firmness to resist the clamor, and sanctioned all that his enemies said of him, by a precipitate flight—as dogs run and become mad, when a hue and cry is raised against them. It is true, that defaulting was not then quite so common as it has been since—but Bidwell did not dip deep enough in the treasury to make himself *respected*, and was totally destitute of the “*modest assurance*” which now distinguishes *defaulters* and *robbers*, who keep the “best company,” and live on the fat of the land. Instead of running away from the public indignation, they brazen it out. Bidwell was too modest; he could not live in a society that esteemed him as a rogue! If the present proceeding against him shall be “right in itself,” we suspect there is a much more dignified body from which several persons ought to be expelled. It cannot be a greater sin to *default* a county treasury in Massachusetts than that of the United States.

NAVY HOSPITAL FUND. We have a report of the commissioners of navy hospitals—to wit, the secretaries of the navy, treasury and war departments, shewing the state of the “navy hospital fund,” in obedience to a late resolution of the house of representatives. The want of means has not yet permitted them to carry into effect the provisions of the act of 1811, but they seem to have taken all requisite care of the fund set aside for these purposes. It commenced on the 26th of Feb. 1811, and has yielded the sum of \$155,468 02; out of which there has only been paid the sum of 10,652 25, leaving a balance to credit of the fund of \$144,815 17—which would go to shew that the seamen, in general, of the United States, when disabled or diseased, have been chiefly maintained by the *marine hospital fund*, which has been so much reduced, or is of so small an amount, as to have caused the occurrence of some extremely hard cases. The present idea seems to be in favor of an amalgamation of these funds; and, for the sake of our seamen, we wish that it may prevail. As every seaman pays “hospital money,” a separate account of its receipts, we should suppose, can only create confusion as to how or by whom they should be relieved; and, as in the case now existing, prevent rightful objects from receiving the benefits to which they are rightfully entitled. For nearly a year past, about 15 helpless men have been maintained at the sole expense of the gentleman who has charge of the marine hospital in this city. Their situation is such that the secretary of the treasury, on account of a deficiency of means, felt himself unwillingly compelled to order their discharge—but still it was such that the head of this institution has rather taxed himself with their support (without the hope of remuneration), than cast them out of doors to perish in the streets, or become objects of pecuniary charity. The poor fellows ought to have a *home* somewhere. But the marine hospital fund will not maintain its own proper claimants and those of the navy also, as it seems to have done heretofore.

ALARMING COUNTERFEITS. Within the last week a considerable number of one hundred dollar notes, purporting to be on the Franklin Bank of Baltimore, were found in circulation, which are counterfeits. They are remarkably well executed—not only the plates, but the signatures. We understand that they are also in circulation in Philadelphia, Richmond, Va. and Savannah. We have seen a letter from the mayor of Savannah to the cashier of the bank in this city, under date of the 20th Dec. 1821 enclosing one of these notes, which the cashier admits to be, in every respect, one of the best counterfeits he ever saw. The mayor of Savannah states, that three persons had been arrested with a large amount of spurious bills—a considerable part of which was as of the Franklin Bank of Baltimore. The cashier of the Franklin Bank states, that there never was but two hundred notes issued by the bank of the date of “1st Dec. 1819,” of 100 dollars, most of which are returned, and but few of the genuine notes of 100 dollars, letter A, are in circulation. He recommends the public to be very cautious in taking 100 dollar notes of the Franklin Bank of Baltimore, dated 1st Dec. 1819—all the counterfeits, which are yet known, being of that date. They are nearly 1 4th of an inch narrower than the genuine notes—paper thin, and, by rubbing it up in the hands, its quality is easily ascertained to be much inferior to the genuine paper. The bank declines ever paying out any of the \$100 notes, dated the 1st Dec. 1819. The genuine notes of the Franklin Bank are of the first character; but, for the present, we advise our friends at a distance to refuse all its bills of the denomination of 100 dollars, unless they know the persons that offer them, and, on that account, will incur the risk of receiving them. The genuine plate which is copied, is of the *old dies* of Murray & co. as hitherto described in this work, and made up of *dots*, instead of *lines*, as in the *new* plates engraved by them, as to the work at the ends of the bills.

¶ The past, present and probable condition of the financial concerns of the United States, is a subject of the deepest interest now submitted to the consideration of the American people, and most claims the early and zealous attention of their representatives in congress. It is only within a few years, that matters of finance engaged a considerable share of the public mind—we were told that they were prosperous by those who ought to have known their condition the best, and the only seeming difficulty that existed was how to dispose of our excess money, in the most prudent and profitable manner: and, in such a state of things, few of us took the trouble to ascertain what this excess cost us, to calculate its operations, or investigate its future effects. The people were “like wonton boys that swim on bladders;” but when the “pressure of circumstances” induced us to look into these matters, the volumes of this work will bear indisputable testimony that we warned both people and government of “*breakers ahead*,” on which our finances would be miserably wrecked, unless their course was altered. There is much less of pride than of regret in the declaration, that our prospects of the state of the revenue have been amply realized, and that those of the treasury have completely failed. We had rather have been good humoredly laughed at for wild speculation, than have encountered the difficulty and distress which a conversion of speculation into history has brought upon us; and the great vexation is, that, if we had depended on *ourselves*, instead of a looking to *foreigners*, we

might have softened down, if not have avoided, the past and present pressure on us. But, I am sometimes almost tempted to say, in the mortification of my spirit and perplexity of business, that we have been rightly served. It is right, by way of instruction, that, if any one relies on a stranger to do for him that which he is able to do for himself, he should be disappointed and suffer: and there are some that will not be taught in any other school than that of experience,—often a dear one. The vacillations of the hopes held out in regard to our finances, and the changes of opinion that owe their origin to the extinction of such hopes, are enough to make a man smile, if he can smile at the unmerited distress that encompasses the people, through the mistaken acts or false views of their government. In this work of the 22d ult. the *value* of treasury estimates was conclusively shewn. If, by the past, we are to judge of the future, what have we to expect? No thing short of a total derangement of our money affairs—a mad parsimony to regain what a mad prodigality has wasted, or a beggared and disgraced treasury: for there is yet a want of *strength* to bring about sober reformation. I have no faith in the calculations put forth—they may or may not be realized, for no one can tell what the “chapter of accidents” will produce; but they do not rest on established principles—they are not based on things over which we ourselves have control. A continuance of peace in Europe and of the present high rate of exchange on England, may affect a reduction in the anticipated amount of revenue, by the sum of two or even three millions; a bloody war in that quarter of the world, or a famine in England, may duplicate the expected revenue! There is nothing like certainly belonging to the receipts of the treasury; and, without a regular flow of means, regularity in legislation or dignity in government cannot be maintained. It is thus in private life—disorder and confusion, if not misery and dismay, fasten on every one in business, unless his means are reasonably sure. It is no matter whether they are large or small; because the prudent endeavor to conduct themselves in concord with their means, and preserve the “even tenor of their way.” Who is to be preferred—the sober mechanic who, by the receipt of eight dollars a week, rears up a fine family in comfort, or the gambler, to-day possessed of thousands, to-morrow a vagrant, wanting a meal’s victuals and unable to buy one? It is a shame that our finances should be thus conditioned: the “cast of a die”—luck, chance, hazard, is what they are built upon—hence, calculation is “dissolved like the baseless fabrick of a vision,” and we are left to wonder at the illusion of our senses.

Money matters are never looked into willingly, except by persons who delight to count their gains; but the prudent man, who means to be *honest to himself and others*, will not fail, very often, to take a review of the past and soberly consider the future. There is an old saying “what’s every body’s business is nobody’s business,” and hence it is that the money affairs of government are so little attended to and understood by the people. It requires much labor to ascertain the facts that belong to them; and sometimes, I frankly confess, a thought crosses my mind, that they are rendered mystical for the express purpose of checking investigation: but, though I cannot entertain such an idea and always reject it with scorn, such questions as these do not fail to present themselves—“Why may not these things be made as plain as a mechanic’s ledger, shewing debtor and creditor and amount of stock? Why is a knowledge of the simple business of dollars and

cents, dependent on the common rules of arithmetic, so put forth as to be unintelligible to a whole people, except the initiated?” The last report of the secretary of the treasury is, in my opinion, the most lucid paper of the sort we have lately seen—still there are some things in it to hang doubts upon. The general character of such papers, added to a general unwillingness in the people to examine *figures*, has prevented that severe attention to the state of the finances which has been bestowed on other and less important public concerns—but we are now seemingly reduced to the state of a careless (but morally honest) man, in apprehension of bankruptcy, and are *compelled to look into our accounts*. I feel no sort of squeamishness in saying, that the people ought to look into these things—nay, I must believe that Mr. Crawford himself will be pleased with the closest investigation that can be made of the affairs committed to him: but whether or not, my rule in politics, as well as religion, is not to receive the dogmas or to accept the conclusions of any man, if sensible of it; for I am assured that others can do little to help me out of a difficulty accruing from bad actions founded on a belief in false principles by them inculcated. *Ifs*, *buts*, and *peradventures* may answer temporary purposes, but truth indignantly rejects them. “Free enquiry is the shield of truth,” and he that would check it is the enemy of man—fit to become a party to the “*holy alliance*” of kings to oppress the human race; and I fear that there are some such persons among us.

It is always an unpleasant task to find fault—to point out real or supposed errors in the acts or proceedings of a friend; but sweet to praise him: and, so much is the latter preferred to the former, that there is commonly much less honesty about it. Ardently devoted to the welfare of the republic, and especially zealous to prevent the raising up of an interest in the country naturally opposed to the simplicity of our institutions and the good of the productive classes, in a legion of *fundholders* and *stock-jobbers*, I have never ceased to look forward with exultation to the time when the public debt should be extinguished: because serious reflection has long since convinced me, that a *public debt is a public curse*, as it regards the government of a free people, and the people themselves. It may be compared to a hot-bed for the production of aristocracy, and nutriment of moral and political vice—the fountain of intrigue and sure source of an undue and hateful influence, not sanctioned by the people or exerted for their benefit. It creates *separate interests* in the society, enlarges the amount of those that *receive*, and increases exaction on those that *pay*. It is ruinous to that independent and dignified character which should rightfully belong to government. How little do we feel, how contemptible do we appear, when we recollect that, during the late war, all the real and personal property of and in the United States, nay, our very persons and those of our wives and children, were humbly pledged to the most pitiful rag shops for loans of their rags, promising to pay them 100 dollars with interest, for 85 or 90 dollars *printed* on such rags! It is enough to make one’s blood boil to think of it—and what right have we to expect better usage, if compelled to resort to such things again? Has usury lost its disposition to acquire—have money-lenders become more generous? Let those who are *dependent* on banks answer the question! The principle of encroachment is perpetual, and the money-lender *naturally* presses on his profits as the wants of the borrower increase, though the latter

may be indubitably solvent, and, in the ultimate, competent to meet all possible demands against him. The government or individual, therefore, who would borrow with dignity and safety, must not often borrow nor borrow much: above all things, indeterminate loans should be avoided—for these must, of absolute necessity, place the borrower at the mercy of the lender.

With these prefatory remarks, I have approached the object for which I took up my pen; which was to introduce a series of papers, presented to me by a much respected friend and correspondent last week, on the past and prospective condition of the treasury. They are plainly written, and, as they are published, it will become evident that they are the product of a *thinker*—of a “free thinker,” if the term pleases better. It will be remarked, especially as we approach the close of these essays, that their author has fallen into the same track of *comparison* which I adopted in the article inserted in this work on the 22d ult.; but his remarks were written before that article appeared, and there had not been any correspondence or communication of ideas between us. On the other hand, he has taken up several matters that I intended to make strong points of, in some further remarks on the state of the treasury, and on the president's message,—especially, Mr. Crawford's proposition to advance the duties on certain commodities for the purpose of *increasing the revenue*, and for that purpose only; in which he has conceded the chief ground held by the opponents of the tariff bill reported by the committee on manufactures, as it is conclusively shewn by my correspondent: and now, to *aid the treasury*, it is very probable that the friends of domestic industry will obtain nearly all that they really desired for the encouragement of home production! This is the day of strange things—for, while the secretary resorts to a rise of duties to *increase the revenue*, the president speaks of the “*protection*” afforded to manufactures, hinting at the assessment of a tax on them, on account of that protection! These documents badly compare with one another, and shall be examined in this respect, with all the courtesy that belongs to the dignified authors of them. We intend also to shew the real, solid, absolute, *direct protection* afforded to commerce, and to endeavor to invalidate the proposition that any thing has been done for the *protection of manufactures*. Whatever legislation has happened in regard to the latter, was in *mere revenue bills*—but a contrary spirit has prevailed in respect to commerce, as we shall surely demonstrate, by plain figures and incontrovertible references to acts of congress.—The manufacturers, in general, are now doing pretty well—they have nearly passed through “the valley of the shadow of death,” they have contended with “*Apollyon*” and beat him off—favored by the “*pressure of circumstances*” and the invincible necessity that prevails of being “*customers to our customers*.” They are not afraid of a reduction of duties, and much less zealous for an advance than they were, unless on some special commodities—because the force of competition will deny them any extra profit on that account: instance, cotton goods, which are now sold on lower terms in the United States than in England; and many of wool are disposed of cheaper than they can be imported, and their price will decline as soon as our flocks arrive at the number required, which they are rapidly doing. There is no doubt in my mind, that the productive part of the population of the United States, such as the growers of grain, manufacturers and mechanics, have reached and are over the extreme point of

suffering, as individuals; and it not less clear to my understanding, that the government has not reached that point—it has yet to pass through a sea of difficulty, unless relieved by a cutting of throats or some other calamity in Europe. Who that pretends to the character of a Christian—who that feels “the spirit of man within him,” can deign to *calculate* such things, or acknowledge the disgraceful dependence that they impose on this country? Are our means—the means of this mighty nation, as to the purposes of self-government, to rest on the crimes or misfortunes of foreigners? Is haggard Famine to be hailed as the harbinger of our prosperity, or bloody War to become the means by which our government shall be supported? I beseech the reader to think about these things—what else are they bottomed on than a principle of *piracy* against mankind? I am prepared to say, with a solemn bowing of the heart, *Forbid it, O God! that my country, or myself, shall ever build up our gratifications, or hope for a supply of our wants, in the crimes or misfortunes of others!*

FREE REMARKS ON OUR national affairs, arising from the perusal of the *president's late message*, and the “annual treasury report” to congress.

No. I.

The members of congress are now assembled at the seat of legislation, of one of the most important countries in the world, and hold in their hands the destinies of millions of the human race. The happiness of themselves, their families, and their fellow citizens, is placed in a considerable degree under their control, and the conservation of the principles of representative government, the greatest political blessing that ever was conferred upon mankind, is under their care. Their station is one of high honor and trust, and, in proportion to the value of the trust, is the awful responsibility. If they conscientiously discharge their duty “their reward will be exceeding great;” but if they neglect it, they will be covered with shame and disgrace. All are constrained to view the present period as a most portentous one, as will be clearly seen by this and the ensuing numbers of this address. All consider it, in truth as forming a *crisis in our fate!* We look to congress as the great tribunal which has the controlling power in its hands, and we trust the eyes of the whole nation will be directed towards its members during the present session, so that if they do well they may receive praise for the same; but if they neglect their duty, or fail to discharge it for the good of their fellow citizens, that they may be held up to public scorn as the despoilers of their country.

In order that legislators may properly discharge their duty, it is evident that each individual must examine and judge for himself, without being influenced by *spectious reports*, or having their judgment consigned to the care of men called *leaders*. To discharge their duty, properly, they must *think*, and *think again*, before they pass judgment. Much thought is necessary at this time, but the materials for legislative thinking never were so complete in any age or nation, as they are at this moment in the United States. The mass of documentary evidence scattered through the country by means of the press is most abundant; and it is particularly well arranged in the Weekly Register, to the editor of which our just acknowledgements are due; for, without that work, we could not, in fact, have made this examination. To this journal then, we shall frequently refer in the course of these essays, believing that this will be satisfactory.

ry to all the parties concerned. It is a work of easy access to all, and is so well supplied with indices that it affords a ready reference to all matters of material importance on national affairs.

It cannot have escaped general observation, that the great subject which has influenced all questions regarding the public encouragement of national industry has been *the public revenue*; hence the late *presidential message* and the annual treasury report, have, as regards that subject, excited uncommon attention. At present it is believed that these documents merit more attention than at any former period in our history; and the public good requires that they should be freely examined and freely animadverted upon. This we shall attempt to do in the present and a few future numbers, with an earnest hope that the subject will excite general attention, particularly in congress; and that the result may be beneficial to the nation.

The first notice that we have of the treasury affairs for the present season, is in the president's message. In that document we are informed that the amount of the receipts into the treasury for the three first quarters of the current year was \$16,219,000*

And that the amount of payments during the same period was \$15,655,000; and it was estimated that the receipts in the 4th quarter would exceed the demands which will be made during that period, and that the amount in the treasury will be increased by the first January 1822.

This is rather a *flattering view* of the subject; but the message omits to state that of the \$16,000,000 of receipts, \$3,000,000 was borrowed money; the nett revenue being only \$11,000,000.

The message then states "that there are just grounds to believe that the improvement which has occurred in the revenue, (alluding to the imports of the last 6 months) will not only be maintained, but that it will progressively increase through the next and several succeeding years, so as to realize the results which were presented upon that subject, by the official reports of the treasury, at the commencement of the last session of congress."

It goes on—"under the influence of the most unfavorable circumstances, the revenue for the next and subsequent years, to the year 1825, will exceed the demands at present authorised by law."

This question will admit of particular examination hereafter; at present it may be noticed, *en passant*, that one of the demands authorised by law is \$10,000,000, annually, as a *sinking fund*, for discharging principal and interest of the national debt. The balance of this fund, over paying the interest and a very small portion of the public debt, has been all absorbed by the treasury for several years past, and seems now to be almost lost sight of. If that is revived, as it ought to be, there is not the smallest probability that the revenue, as at present modified, will meet the demands under any circumstances; and in fact, this view seems immediately to have occurred to the president's mind, for he adverts to the probability of the increase of domestic manufactures, and hints that "the deficiency in the fund necessary for public purposes, should be supplied by duties on them."

The report of the secretary of the treasury throws more light on the subject. According to

this report the receipts into the treasury to 30th September, were \$16,219,000

And the 4th quarter is estimated 3,595,000

\$19,814,000

The different items are,

Customs	13,068,000
Public lands	1,301,000
Arrears of internal duties	95,000
Incidental rec'ts, repayments	245,000
Bank dividend	105,000

14,814,000

LOAN 5,000,000

Payments for the 3 first quarters \$15,655,000

4th quarter estimated at 3,580,000

19,235,000

The different items are,

Civil, diplomatic and miscellaneous	2,463,000
Military	5,163,000
Naval	3,304,000
Public debt, interest	5,695,000
Louisiana stock	2,077,000
Deferred stock	534,000

It may be remarked here that the debt has been reduced by the amount of the two last items, together \$2,611,000; and it is augmented by the loan of \$5,000,000, less the premium obtained on it, \$260,000. The difference \$2,129,000, is added to the debt, and has swelled the amount from \$91,294,000 to \$93,423,000; at which it now stands.

In the estimates of the public revenue and expenditure for the year 1822, which make part of the report, we find the secretary of the treasury following up the opinion of the president as to the probability of the revenue being amply sufficient to meet the expenditure until the year 1825. He even produces a tabular statement to shew that the receipts, for 1822, will exceed the expenditure by \$1,162,000. And adds "the expenditure of the two succeeding years, it is believed, will not exceed that of the year 1822, unless a further expenditure shall, in the intermediate time, be authorised by law."

This flattering view is very surprising, if we take into the account that the revenue for 1821 has fallen short of the secretary's estimate \$1,238,000; and that he considered it necessary to borrow \$2,000,000 more than was eventually agree to, on account of *unavailable funds*.

The National Intelligencer helps to explain the enigma; and in the course of a panegyric on the report, in the paper of Dec. 15th, comes out with a left-handed kind of an admission that it "does not think the treasury is at this moment, at all too rich." After a number of awkward explanations, it says—"The available funds in the treasury, therefore, on the first of January next, if we are right, will be considerably under a million of dollars." "The amount in the treasury; we should suppose, ought never to be much less than two millions of dollars, though a little interest should be lost by keeping up that amount."

"These observations do not apply to the secretary of the treasury, who, we remember, in his reports to congress, at the last session, insisted on a loan of SEVEN MILLIONS."

Whether this is a prelude to an application for a loan of \$2,000,000, this session, will be seen hereafter; at present it is pretty clear that the secretary, while he is satisfied that the money will

*In this, and all our future remarks, the sums will be given in round numbers.

be wanted, does not expect that congress will grant it in the shape of a loan, and he accordingly seems prepared to adopt another course. This is seen with satisfaction, but as a discussion of the question leads into very weighty matters, we shall refer it for a subsequent letter.

Communicated on behalf of the

FRIENDS OF NATIONAL INDUSTRY.

THE LATE CENSUS. If the census, lately taken by the authority of the United States, shall exhibit the facts belonging to the population of the country, and the condition of persons and things, with the same precision as is exhibited in a return of such matters for Ontario county, New-York, in pursuance of an act of the legislature of that state, passed on the 16th of March, 1821, a most interesting stock of information will be furnished, and of a character that is needful to an enlightened legislation.

The table before us, for which we are indebted to the "Ontario Repository," shews the particulars for each township: a notice of the aggregate will be sufficient for our present purposes; which are simply to furnish matter for the political economist to think upon.

Ontario county, by the late U. S. census, contained 88,267 persons—since then it has been divided, and its present aggregate population is estimated at 61,100; but this is not stated in the table, which is so minute as to other things.

General aggregates.

Heads of families, 9,379; freeholders of \$250, of 21 years of age and upwards, 4,399; the same of 50 dollars, as before, 365; persons renting tenements of the yearly value of 5 dollars, of the age of 21 and upwards, 4,638; persons not freeholders, and not renting tenements, of the age 21 and upwards, 2,052; total population, (as estimated in an exhibit laid before the late convention), 61,100.

Acres of improved land, 246,409; neat cattle 59,731; horses, 13,298; sheep, 133,966.

Yards of fulled cloth, flannels, &c. manufactured in families, in the preceding year, 256,211; ditto of linen, cotton and other thin cloths, 221,789.

Grist mills, 79; saw mills, 172; oil mills, 3; fulling mills, 49; carding machines, 58; cotton and woollen manufactories, 6; iron works, 3; trip hammers, 15; distilleries, 73; asheries, 39.  The products of the establishments is not given, or estimated, at all.

Maple sugar, manufactured in Seneca township, 96,078; do. in Phelps, 73,905—together, 169,983lbs.—or say, 170 hhd. at 1000 lbs each.

Averages. There is one freeholder to about every 50 acres of improved land; nearly as many neat cattle as there are persons in the county; more than one horse to every five persons; more than two sheep to each person; and about eight yards of cloth were manufactured in families, for every person in the county. It would have added much to the interest of the table, if it had shewn the number of persons employed in the different mills and manufactories, and the general product and value of their labor. The data thus furnished might be exceedingly useful.

VIRGINIA—Having noticed the controversy between the governor and council of Virginia, it seems necessary to insert the last publications of the parties, as follows:

Richmond, Dec. 24 The undersigned, members of the executive council, have seen with much surprise, the construction placed by the governor upon their reply to his letter to the legislature.

They did not believe that such an application could possibly be made to their argument, as to extract from it a charge of intoxication against the governor; but, as he seems to have misapprehended the council, they deem it due to truth and to their own characters, to declare that they designed no such imputation.

Signed, P. V. Daniel, W. H. Roane, Robert G. Scott, Wm. Robertson, Wm. Selden, A. L. Botts, John Campbell.

Messrs. Editors of the Compiler.—I am greatly pleased to have the misconception of myself and friends, I may say also of no small part of the public at large, removed by the truly honorable display of a sturdy and unswerving sense of justice, on the part of those who had unintentionally caused it.

The vice believed to be imputed, involves the total forfeiture of all confidence public and private, and supposes a want of fixed motives to control the will, which is not only in itself want of settled character, but can only exist in cases of great imbecility of mind. It could not justly be suspected, where the cultivation of the intellectual powers had never been allowed to yield to any thing, but the necessity of too great muscular exertion in a laborious profession. The evidence, too, of the supposed charge, being such as could not be impeached after the sentiment, constantly expressed before, the case arose to view as one of fatal prominence, which required passion more than reason. In that way such strong language came to be used. I now feel that it was like a stab for a jostle, disproportioned to the injury, and honestly admit that I regret it.

TH. M. RANDOLPH.

STATUE OF WASHINGTON. This noble work of Canova, executed at the cost of the state of North Carolina, arrived at Raleigh (where it has been put up) on the 24th Dec. ult. The likeness is said to be good, and the figures on the sides of the pedestal are finely executed. The hero is seated with a stylus in his hand, as if engaged in writing his farewell address.

The statue was deposited near the place on which it was to stand in the capitol, attended with a numerous procession of public officers and private persons, including nearly all the old revolutionary characters in the neighborhood, headed by the venerable col. *William Polk*; who, on this occasion, delivered the following address to a great body of the people assembled:

Fellow-citizens—An enlightened legislature, faithful to the emotions of a grateful people, has procured the statue of our beloved Washington: formed by the highest skill of an artist, whom all agree in calling the *Michael Angelo* of the age.

Rome, once the citadel of the earth, the terror of kings; now fallen, now defaced; still nourishes for the arts, those talents by which patriotism and republican virtue are honored and recorded in the new world. Thus it is, that Providence, in its wise and mysterious dispensations, makes even degenerate nations the instruments of preserving that holy reverence for the rights of humanity, which must ultimately issue in the establishment of the liberties of the world. The country of Phocion and Leonidas, may again be free; and some future Phidias, catching inspiration from the sublime ruins around him, make the marble tell to posterity the heroic actions of his cotemporaries.

America may justly glory in her Washington, the founder of her liberty, the friend of man. History and tradition are explored in vain for a parallel.

lled to his character: in other illustrious men, each possessed some shining quality, that was the foundation of his fame: in Washington, all the virtues were united, force of body, vigor of mind, ardent patriotism, contempt for riches, gentleness of disposition, courage and conduct in war. In the annals of modern greatness he stands alone, and the noblest names of antiquity lose their lustre in his presence. Born the benefactor of mankind, he united all the qualities necessary to an illustrious career; nature made him great; he made himself virtuous. Called by his country to the defence of her liberties, he triumphantly vindicated the rights of man, and laid, in the principles of freedom, the foundation of a great republic. Twice invested with the supreme majesty, by the unanimous voice of a free people, he surpassed in the cabinet the glories of the field, and, voluntarily resigning the sceptre of the sword, retired to the private shades of life.

A spectacle so new and so sublime, was contemplated with the profoundest admiration, and the name of Washington, adding new lustre to humanity, resounded to the remotest regions of the earth: magnanimous in youth, glorious through life, great in death; his highest ambition the happiness of mankind; his noblest victory the conquest of himself; bequeathing to posterity the inheritance of his fame, and building his monument in the hearts of his countrymen; he lived the ornament of the 18th century; he died—regretted by a mourning world.

The record of such virtues should be transmitted to posterity by every means the muse of history, of painting, and of sculpture, can employ; and who is not proud of his country, when he sees her thus munificently consecrating the memory of the first of patriots?

It is gratifying to know that the task was a favorite one to the artist; he had an exalted admiration of the character of Washington, and has accordingly lavished on the work, some of the richest treasures of his genius. But Conova is an enlightened friend of liberty, and worthy to be the sculptor of its author. May we not, then, fellow-citizens, indulge the hope, that this beautiful specimen of the arts, besides its moral effects in holding up to the imitation of our youth the great qualities it commemorates, also refine their tastes, and awakens their latent energies of genius—that, while it inculcates the virtues that render life useful to our country, it may diffuse a relish for the arts that embellish society, and call forth a display of the varied powers of man's ingenuity.

BANK OF THE UNITED STATES. The following was introduced in the senate of Georgia on the 12th ult. as a "manifesto" of the legislature of that state; the views presented are such as we have always entertained of this institution. It possesses a fearful power to do wrong—and, as it has "no soul," what can we expect from it?

"In the conflict between the federal and state authorities, the state of Georgia will not enlist herself on either side. She regards the federal union of these states as their best safe-guard against intestine discord, and the injuries of foreign powers. She is disposed to preserve to the federal and the state governments, respectively, those powers which are intrusted to the former, or reserved by the latter, in the federal constitution. No restless ambition, no habitual jealousy, in relation to the powers of the federal government, guides her po-

licy towards the branch of the United States bank established on her territory. Taking the most dispassionate view of the operations of that branch, she believes they are not warranted by any clause of the federal constitution. It is in vain that we have defined and written constitutions, if, by latitude of construction, they may be made to embrace every power thought convenient to the temporary policy of those who administer the government. Not only is the establishment of a branch of the United States bank on the territory of Georgia, without her consent, a usurpation of her sovereign power, but the obvious and increasing policy of that branch is hostile to her interest. She has chartered several banks which are honestly and wisely administered. In these she is a principal stockholder, and a large part of her revenue is derived from these dividends. The bills of these banks paid to the land agents and the collectors of the customs of the United States, are deposited in the branch of the United States bank, and are used by it to drain the specie of the state institutions, while that branch, availing itself of the public treasure, makes no issues of her own paper, and is not liable to similar drafts.

With this inequality, there can be no competition. The state banks curtail their business within narrower and narrower limits: their dividends are reduced—their embarrassments increase—and, ere long, their profits will be insufficient to defray the ordinary expenses of their business. Georgia beholds her revenue dwindling, and her various public interests threatened with ruin, by the operation of this hostile bank. Can the obligations to manage the revenue of the United States imply a right to establish within any state a bank, which shall be protected, for its own profit, in waging a constant and ruinous war against the institutions of that state? And shall Georgia remain passive under such deep injuries? She will not dissemble her dread of another and more alarming evil.

Every moderate government is, in a great measure, controlled by the monied influence of the country. When the United States bank shall have succeeded in crushing most of the state banks—when it shall exert all the active monied influence of the country, where can its power be resisted? *It will have a direct influence over the government,* by the great favors which it may grant or withhold, and it will have an indirect, and far more dreadful influence by individual favors granted through every section of our country? *How many elections may it not control? How many officers of government may it not bias?* When, in the natural course of things, a great part of the stock of this bank shall be held in *Europe*, foreigners will indirectly choose its directors; foreigners will wield the monied influence of our country: *foreigners will control our government.* Where will then be the independence of this great republic? Under *foreign influence:* in any future conflicts with the monarchies of Europe, she will be dishonored and ruined. Georgia, anxious to pursue a moderate course, still withholds her hand, under the hope that the parent bank will take the solemn warning, and withdraw her branch from the state. But, shall Georgia exercise eternal forbearance towards an institution which usurps her sovereignty; which invades her territory; which impoverishes her citizens; which exhaust her revenue; which arrests her improvements, and which threatens the federal republic with dishonor and ruin? The hostile bank must alter its policy, or it will encounter the utmost exertion of the power of this state."

Unsettled War Accounts, &c.

Letter from the comptroller of the treasury to the house of representatives of the United States.

TREASURY DEPARTMENT,
Comptroller's office, 28, 1821.

SIR—In compliance with the provisions of the act of congress, passed on the 3rd of March, 1809, entitled "An act further to amend the several acts for the establishment and regulation of the treasury, war and navy departments;" and the act passed on the 3rd of March, 1817, entitled "An act to provide for the prompt settlement of public accounts;" I have the honor to transmit herewith the following returns received from the third auditor of the treasury:

1. A list of such officers as have not settled their accounts within the year, for moneys advanced one year prior to the 30th September, 1821.
2. A list of the accounts which have remained unsettled, or on which balances appear to have been due more than three years, prior to the 30th September, 1821.
3. An abstract of moneys advanced prior to the 3rd of March, 1809, on the books of the late accountant of the war department, and which remained to be accounted for on the books of the third auditor of the treasury, on the 30th Sept. 1821.

I also transmit, herewith, an explanatory communication received from the third auditor of the treasury, on the subject of the preceding documents.

With considerations of high respect, I have the honor to be, your obedient servant,

JOSEPH ANDERSON, Comptroller.

The hon. PHILIP P. BARBOUR,

Speaker of the house of representatives.

Letter of the third auditor.

TREASURY DEPARTMENT,
Third auditor's office, Dec. 26, 1821.

SIR—In presenting the accompanying statement, I avail myself of the occasion to offer a few remarks relative thereto. I endeavor, in my communication transmitted with a similar report, for the last year, to explain the nature and extent of the accounts originally turned over to this office for settlement, and the progress which had at that time been made therein. The accounts then unsettled, or on which balances appeared to have been due more than three years, on the 30th Sept. 1820, amounted, as will be seen on reference to that report, to \$15,317,880 84. The statement herewith, shows their present amount to be only \$5,724,710 78, a reduction of \$9,593,170 06 having been effected, as follows, viz:

- 1st. By the final settlement of many accounts, and the partial settlement of numerous others, \$9,438,304 66
- 2d. By refundments made to the treasury, which, agreeably to law, are to be carried to the credit of the surplus fund, 88,846 58
- 3d. By credits to persons who have obtained verdicts in suits instituted against them, 66,018 82

\$9,593,170 06

There still remains, it will be observed, a large amount of accounts unsettled, and of balances apparently due to the United States, notwithstanding every exertion, as far as the other duties of the office would permit, has been made to lessen the for-

ward and to collect the latter, by the means pointed out in the instructions I have received on the subject.

In many cases where delinquencies have appeared, the accounts have been made out and reported for suit, and the results, where they have been made known to me, are stated in the remarks opposite the names of the individuals.

Similar reports are making of the remaining accounts of delinquents, and will continue to be made until the whole shall be completed.

It may be proper to intimate, that it is believed, in many cases, the money advanced, if not wholly expended, has been in part disbursed for public purposes, and vouchers for the same either not taken, or, if taken, are informal, or have been lost, and the parties dead or not in a situation to furnish others. Whether legislative interference in such cases shall be thought advisable, is respectfully submitted. If provision were made by law authorizing the accounting officers to settle accounts originating prior to the 1st July, 1815, upon the production of the best evidence each case would admit of, and such as would probably be received in courts of justice, and limiting the amount of credits to be given each individual to the amount of money advanced him, it is conceived no injury to the public would ensue: for if, on the trial of a suite, it shall be made to appear by a defendant, to the satisfaction of the court and jury, that the money in dispute has been expended for the public service, it is highly probable credits will be awarded him, notwithstanding any informalities in the vouchers. And the adoption of the course suggested would besides have the effect of preventing many personal applications to congress, and of considerably diminishing the outstanding accounts on the books of this office.

With great respect, I have the honor to be your most obedient servant,

PETER HAGNER, Auditor.

The hon. JOSEPH ANDERSON,

First comptroller of the treasury.

Report on the Funded Debt.

Mr. Smith of Md. on the 31st ult. presented, in the house of representatives, the following report:

The committee of ways and means, to whom was referred the annual report on the state of the finances, report:—

That they have had under consideration that part of the annual report on the state of the finances, which recommends the exchange of a stock bearing an interest of five per cent. for the stocks bearing an interest of seven per cent. and those of six per cent issued in the years 1812 and 1813.

The object of the secretary of the treasury appears to the committee to be practicable and advantageous, not only to the government, but to the holders of the stock. They therefore submit a bill. It proposes to exchange a stock bearing an interest of five per cent. for the seven per cents. due in 1825, and so much of the six per cents. due the same year, as will make a total of twelve millions of dollars, which will leave the sum of \$5,462,332, redeemable by the commissioners of the sinking fund during that year. And it also proposes a like exchange for fourteen millions of dollars of the six per cent. stock, due in the year 1826, which will leave unredeemed, of the stock due that year, the sum of 8,357,368 dollars; but the proportion of the sinking fund applicable to the payment of the principal of the debt during the year 1826, amounts

only to the sum of 5,707,000 dollars, which will leave in that year an unredeemed balance of 2,650,000 dollars, which balance will be redeemed gradually, by the operation of the sinking fund, as will be shown by a document received from the secretary of the treasury, which the committee ask leave to submit as part of their report; by which it will appear, that, if the proposed exchange of stocks shall take effect, and the amount of the sinking fund be continued at ten millions of dollars, the whole debt of the United States (the three per cents. excepted) will be extinguished in the year 1833, except only the sum of 1,952,000 dollars.—The same document shows a calculation, bottomed on the idea that it may be deemed advantageous to reduce the amount of the sinking fund to eight millions of dollars; in which case, the whole of the debt (the three per cents. excepted) will be paid off in the year 1836, except the sum of 1,281,000 dollars. But as the committee have deemed it advisable to divide the amount of the exchanged stocks into four annual instalments, instead of three, (which had been recommended in the annual report on the finances,) it will, if adopted, prolong the final extinguishment of the present debt of the United States, one year longer.

The committee are induced to propose that change, as well to lessen the pressure on the finances at the time, as to do comparative justice to the holders of the seven per cent. stock, by giving them a longer time for their reimbursement.

Calculations of the operation of the sinking fund, referred to in the letter of the secretary of the treasury, of Dec. 25, 1821.

DEBT.		
Description of debt.	Amount.	When redeemable
6 per cent. of 1812,	\$8,855,981 83	
7 per cent.	8,606,355 27	
	17,462,337 10	in 1825.
6 per cent. of 1813,	22,357,368 84	in 1826.
6 per cent. of 1814,	13,011,437 63	in 1827.
6 per cent. of 1815, and		
funded treasury notes,	10,954,994 17	in 1828.

\$63,786,137 74

Operation of the sinking fund of 10 millions.

	Yearly amount applied to payment of principal	Total amount of principal paid.	Total amount of debt remaining unpaid.
1825	5,350,000		
1826	5,707,000	11,057,000	52,729,000
1827	6,049,000	17,106,000	46,680,000
1828	6,412,000	23,518,000	40,268,000
1829	6,797,000	30,315,000	33,471,000
1830	7,205,000	37,520,000	26,266,000
1831	7,636,000	45,156,000	18,630,000
1832	8,095,000	53,251,000	10,535,000
1833	8,581,000	61,832,000	1,954,000

Operation of a sinking fund of 8 millions.

	Yearly amount applied to payment of principal	Total amount of principal paid.	Total amount of debt remaining unpaid.
1825	3,210,000		
1826	3,435,000	6,645,000	57,141,000
1827	3,664,000	10,309,000	53,477,000
1828	3,884,000	14,193,000	49,593,000
1829	4,117,000	18,310,000	45,476,000
1830	4,364,000	22,674,000	41,112,000
1831	4,626,000	27,300,000	36,486,000
1832	4,904,000	32,204,000	31,582,000
1833	5,198,000	37,402,000	26,384,000
1834	5,510,000	42,912,000	20,874,000
1835	5,840,000	48,752,000	15,034,000
1836	6,191,000	54,943,000	8,843,000
1837	6,562,000	62,505,000	1,281,000

APPLICATION.

1825. The amount of debt redeemable in 1825, is 17,462,000
And the amount of the sinking fund applicable in that year 5,350,000

Which leaves, of the stock redeemable in that year, a surplus unredeemed, of 12,112,000

1826. The amount redeemable this year is 22,357,000
And the amount to be applied 5,707,000

Which leaves a surplus unredeemed this year, of 16,650,000

1827. The amount redeemable this year is 13,011,000
Amount to be applied 6,049,000

Surplus unredeemed this year 6,962,000

1828. Amount redeemable this year 10,954,000
Amount to be applied 6,412,000

Surplus unredeemed this year 4,542,000

1829. To this sum add, in order to give employment to the sinking fund applicable this year, the surplus of the stock which was redeemable, and unredeemed, in 1827 6,962,000

Making 11,504,000

Amount to be applied in 1829 6,797,000

Surplus unredeemed this year 4,707,000

1830. To which add of the surplus of 1826 2,498,000

Making 7,205,000

Which sum is also the amount of the sinking fund applicable in the year 1830.

The sum of \$2,498,000 being deducted from the surplus redeemable and unredeemed, in 1826, leaves a balance, to be redeemed subsequently to the year 1830, of \$14,152,000

To which add the surplus redeemable and unredeemed in 1825, of 12,112,000

Making 26,264,000

Which may be exchanged for 5 per cent. stock, redeemable in 1831, 1832, 1833, and 1834, viz:

In 1831 7,636,000

In 1832 18,628,000

In 1833 8,095,000

In 1834 10,533,000

In 1835 8,581,000

Leaving to be redeemed in 1834 1,952,000

Fractions of a thousand dollars have generally been rejected in the calculations.

Legislature of Tennessee.

General assembly of the state of Tennessee, at Murfreesborough.

The committee on education to whom was referred a report and sundry resolutions from the state of Maryland, on the propriety of congress extending to other states a grant for land, commensurate with grants made to the new states, respectfully report, that, as regards the right or propriety of congress making such disposition of their public lands as may be thought advisable, they have nothing to urge. They are aware of the power which congress possesses on this subject, and have every confidence that it will be exercised discreetly, and with a view to the interest of the states, and of the people.

The committee, however, cannot venture on the belief, that the old states of the union should urge the patronage, which has been extended by congress to the younger states, as a reason why similar indulgences, and favors, should be extended to them. At the close of the revolutionary war, when confederation and union were essential to permanency in our government, an ardent desire was manifested that the states respectively should surrender their demesne lands to the federal government, as well for the purposes of constituting a fund out of which to discharge the national debt, as that by the retention of too large a territory, any undue preponderance might not be had over smaller states.—The first mentioned object, your committee are persuaded, has been but partially realized, nor can they agree that it can be a correct policy of the government, to rely upon their vacant lands, as a source of revenue; yet they have enabled the poor and honest yeomanry of the country to find a home, and in that way the resources and strength of government have been increased. But the difficulties which the early settlers of the west had to encounter, are matters of notoriety; history has recorded them: it was not to be expected that in a wilderness country, with limited means, privations to encounter, and a great portion of their time employed in resisting the assaults of their savage neighbors, unaided by their government, the settlers could be in a situation to extend to their children the advantages of education: And yet it was the interest of the country at large, that their minds should be improved, and trained to virtuous principles. This was early perceived by an enlightened government, and with a view to remedy the inconvenience, congress has made liberal donations for the use of schools, and for the encouragement of learning. That which originated in necessity has become a precedent; and each state, upon being admitted into the union, has received of the congress of the United States, one thirty-sixth of the lands remaining unappropriated at the time of admission; but these reasons may not be altogether applicable to the old states. The early adventurers to America obtained grants for lands without price, except that of breasting the dangers and privations to which a savage wilderness exposed them: and by actual settlement advancing the interest of the crown and of the proprietors, even in some measure as the new states now are, were rewarded by grants for the endowment of literary institutions. At the adoption of the federal government, their institutions were formed, they had commerce and wealth, which added to a dense population, enabled them to provide easily those means of education, which, from the peculiar situation of the western states, were

wholly denied; nor is it less a matter of consideration and argument, in contrasting the old and new states, to remark, that important privileges on their admission are denied them: uniformly has congress imposed as a condition that their lands should not be subject to taxation for five years after a sale shall have been made: The consequence is that a large portion of the territory of the new states, after their introduction into the union, remains free from the operations of those burthens to which other citizens, and other lands, are subjected, and considerable revenue is thus lost to the state. It was reasonable, therefore, that for losses thus sustained from withholding this right of sovereignty, some equivalent should be given; and doubtless this has formed part of the inducement to those acts of liberality which congress has exercised towards the new states, an inducement which has no relevancy whatever to the old states they having since the organization of our government, been left in the full and free exercise of their sovereignty.

Your committee further represent, that the estimate in the report, in relation to the amount of donation, made to this state by congress, is far from being correct. It is true, that two hundred thousand acres of land have been appropriated here for colleges and academics, and equally true, that one thirty-sixth of the unappropriated lands, North and East of the reservation, which embraces about two thirds of the state only, were reserved for the use of schools, for the instruction of children. This latter donation, however, is found to rest, for the most part in imagination. North Carolina had, at the period of her cession, perfected numerous titles and authorised entries to an amount which covered the greatest and best portion of the lands. The holders of warrants and other evidences of claims to lands, not restricted to lines previously marked as a boundary, have availed themselves of their lawful privilege of selecting the best lands to satisfy their claims, so that of the millions of acres yet unclaimed, but little, indeed, is deemed at this time worth the expense of surveying. The consequence is, so far as information can be obtained by your committee, that of the one thirty-sixth thus set a part, and reserved, (the lands reserved to the Cherokee Indians), no more than forty-four tracts, containing in the aggregate twenty two thousand seven hundred and five acres, have been secured for the use of schools; and even of that quantity a considerable proportion is said to be unfit for cultivation. Nor have the lands secured to colleges and academics been productive of all the advantages which were perhaps anticipated. The only part of country reserved to the Cherokee Indians, and to which the Indian title was, at the same time making that arrangement, extinguished, was in the possession of occupants, provided for by the constitution of Tennessee, and recognized by the act of congress of April 16, 1806, by which act they were subject to be sold at the rate of one dollar per acre, which then was considered a high average price, and necessarily sold to the occupants upon extensive credits, the interest of which has been but partially collected, producing in the mean time, all the vexations, and costs, both to the government and people, that in the United States are known to exist, when the people are debtors to their government.

Your committee do moreover entertain a belief, that the cession of the vacant soil made to the state of Tennessee, north and east of the reservation, resulted as much from a spirit of compromise, and

to quiet the conflicting claims of the parties concerned, as from an act of grace on the part of the government of the United States. They are led to the belief from the following considerations: On the first of June, 1796, the state of Tennessee was, by an act of congress, "*declared to be one of the United States of America, on an equal footing with the original states in all respects whatever,*" accepting at the same time her constitution with its various provisions, for rights of pre-emption, occupancy, &c.

It is also to be presumed to have been the understanding of the legislature, as early as the session of 1798 and 1799, that the state of Tennessee passed the right of disposing of the vacant and unappropriated soil within her limits, from the circumstance of passing a law, of the 5th of January, 1799, "*establishing offices for receiving entries of claims of all vacant lands within the several counties in this state, and ascertaining the method of obtaining titles to the same.*" The 13th and 14th sections of which act provide, that any person may enter, not exceeding 640 acres, on vacant lands any where in the state, upon payment of twenty five cents per acre; and the operation of the act was suspended in the month of October following, and from time to time suspended until the session of 1806, it remained upon the statute books unrepealed until that period, at which time the several acts of compact between North Carolina, the United States and the state of Tennessee, were finally ratified and confirmed, which settled upon and defined the limits within which each might exercise the rights and powers therein expressed. Your committee beg leave to recite so much of the act of congress, passed on the 18th of April, 1806, as they may deem relevant to the argument, which is as follows:—

"That, upon the senators and representatives, from the state of Tennessee, by an instrument signed and sealed by them respectively, making known that in pursuance of the powers in them vested, by an act of the general assembly of the state of Tennessee, to appoint agents, &c. and, by a resolution of the senate and house of representatives of the said state of Tennessee, passed in 1802, as instructions therein, they do, for and in behalf of the state of Tennessee, and in consideration of the provisions made in this act, agree and declare, that all right, title, and claim, which the state of Tennessee hath to the lands lying west and south of the lines hereinbefore established, within the limits of the state of Tennessee, shall thereafter forever cease, and that the lands aforesaid be and remain at the sole and entire disposition of the U. States, and shall be exempted from every disposition or tax made by order or under the authority of the state of Tennessee, while the same shall remain the property of the United States, and for the term of five years after the same shall be sold, &c. The United States do, thereupon, cede and convey to the state of Tennessee all the right, title and claim, which the United States have to the territory of the land's lying east and north of the line hereinbefore established within the limits of the state of Tennessee, subject," &c. Your committee, far from resisting claims set up by the old states, to a participation in the public lands for the uses adverted to in the report, or intending to prevent a co-operation in such measures as may be deemed just and equitable, have only felt themselves called upon to make the foregoing statement and remarks, from conviction that the favors bestowed upon this state, though gratefully ac-

nowledged, have been much overrated, and they are persuaded that, if the attention of the national legislature is drawn to this subject, and if it be determined that each of the United States has an equal right to participate in the benefit of the public lands, for the purposes of education, that such appropriations will be assigned for this state as will correspond in a just proportion with those made in favor of the other states: Wherefore—

Resolved, That your committee deem it advisable to leave the matter entirely to the wisdom and direction of congress, and recommend that the legislature make no determinate resolution on the subject.

House of representatives, Nov. 1st, 1821. Read and concurred in.

In senate, Nov. 1st, 1821. Read and concurred in.

Small Pox.

Experiments made to prove the efficacy of genuine vaccination.

MR. EDITOR: Not very long since, we had an accidental case of the natural small pox in this city, on the person of Leonard Snyder, a healthy young man, in the prime of his life. His case, which afterwards proved to be a fatal one, was advanced as far as the ninth day, when his disease, which was of the confluent kind, being in a fit state to give out its contagion, I took all my own children, who never had the small pox, and transferred this poison from his person into their arms, inoculating them with it publicly, and in the most careful manner possible. My eldest son, Edward Jenner Smith, had been vaccinated by me on the 14th day of October, 1803, when only twenty-three days old. My second son, John Davidson Smith, then in his fourteenth year, and my nephew David Madison Smith, aged twelve years, had both also been vaccinated when young children. The boys were all taken at the same time, viz: the 17th of January, 1819, into the infected room, and fully exposed for more than one quarter of an hour to breathe the natural contagion, which filled it to a highly offensive degree. The small pox matter was inserted into their arms, as they stood at the bed side, from the fullest pustules which were on the face of the diseased person. My adopted daughter, Eliza Blackwell, who had been vaccinated on the 23d of October, 1803, and Flora Caldwell Smith, who had been vaccinated on the 28th of December, 1808, could not be taken into the infected person's room on account of his horridly disagreeable appearance; but they were taken into the house, and the small pox matter was inserted into their arms with equal care, and with an equal chance of its infecting them as their brothers. In every case, except Eliza's, which failed entirely, the virus took effect, and acted very satisfactorily, producing the usual local affection upon their arms, but which disappeared again in a few days, without occasioning any general disease whatever. In David's case the local affection of the arm was more perfect than in any of his cousins—a pock having been produced by his inoculation, which very nearly resembled the kine pock itself; he likewise had a slight fever, with the same affection of axillary glands as is usual in vaccination, but he had no eruptions, nor any general indisposition, more than such as might reasonably be expected to be produced by the local disease of his arm.

At the time when Snyder took the small pox, there was living in the house with him a colored servant, who had never had this disease. I vaccina

ted her on the same day with my children/and permitted her to remain in her station. She took the kine pock, and suffered no injury whatever from her exposure.

If you think these experiments (which were never published in this city) have any influence towards supporting the public confidence in vaccination at this time of general alarm and want of faith in it, you will please to give them an insertion in your paper.

Your obedient servant,

JAMES SMITH.

Baltimore, 15th Dec. 1821.

Seventeenth Congress—first session.

IN THE SENATE.

December 27. [Mr. Johnson's resolution, proposing an enquiry into the expediency "of permitting the postmasters in the western country to receive for postages on letters, the currency of the state in which the said offices are located," was considered—and *laid on the table*, on the following day—it will not probably be called up. The remarks made by him when he offered the resolution were in substance as follows—

Mr. Johnson, of Kentucky, said he was about to offer a resolution to the senate, which he was aware would present intrinsic difficulties; but, in obedience to the general wishes of the people of the state which he in part represented, and from the convictions of his own mind, as to the utility of the measure, if practicable, he had considered it his duty to propose it for the consideration of the senate. Since the war with Great Britain, he said, the pecuniary distress of the west, had been gradually increasing, until within a very late period; he hoped that the tide of misfortune in the state of Kentucky was now subsiding, in consequence of the measures of relief which had been adopted by the legislature of that state. Two circumstances, more than all others, had augmented that distress of which he had spoken. The premature resumption of specie payment on the part of the banks, and the policy of the general government, which denied to the west a just proportion of the public expenditure, which he considered a great grievance, and which he had no doubt would be remedied by congress, whenever a proper occasion presented itself. Mr. J. said, at this time the people of Kentucky, were deprived of many benefits resulting from the post office establishment, arising from the causes to which he had adverted; and he was convinced that his proposition would bring more revenue to that department, many letters being returned to the general post office as dead letters, for the want of some such accommodation. He also stated the further fact, that it was well known, that the money arising from the post office establishment, in the west, was paid to western contractors for carrying the mail, and did not go into the treasury of the United States as revenue. If the measure could be adopted without injury to the public, and could extend relief to a suffering portion of the community, he presumed no indisposition would be manifested against his proposition. If, on the other hand, it were impracticable, and inconsistent with the public good, it would be abandoned. He said that he very well knew that the depreciation of the paper of the bank of the commonwealth of Kentucky, compared with specie, or what was denominated eastern funds, for the payment of debts in Philadelphia and elsewhere, induced many gentlemen, at a distance, to believe that

the currency of that state was of little value. But he would take this occasion to state the fact that, within the state, the paper would, at this time, purchase as much real or personal property, as could have been purchased by the same amount of gold and silver coin, when the banks were in prosperity, and paying specie for their notes. He had no doubt that such would continue to be the result; for, while relief had been given to the people by such a measure, the greatest care had been taken to fix the institution upon a solid foundation—Mr. J. then submitted the resolution:]

December 28. The vice president of the United States appeared to day, and took the chair of the senate.

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of modifying the law regulating the merchant service, so as to define more particularly the admiralty jurisdiction of the district courts of the United States.

The resolution submitted by Mr. Knight on the 27th inst., was agreed to. Some other business was done—the joint resolution from the other house for the distribution of the secret journals, &c. of the old congress, was passed.

Adjourned to Monday.

December 31. Very little business was transacted this day—a bill further to establish the compensation of officers of the customs was passed to a second reading, and a private bill relative to James L. Cathcart read the third time, passed and sent to the other house.

January 2, 1822 Mr. King, of New York, submitted the following resolution for consideration:

Resolved, That the president of the United States be requested to cause to be laid before the senate, copies of the rules and instructions which have been given to the ministers, consuls, other agents of the United States or in foreign countries, concerning allowance in money or otherwise, made by them, respectively, to sick or distressed American seamen.

That he be likewise requested to cause to be laid before the senate accounts of the money so advanced to sick or disabled American seamen in the years 1818, 1819 and 1820; distinguishing the nations in which, and the minister, consul or agent, by whom such advances were made, and the number of seamen so annually relieved in the nations respectively.

[Mr. K. explained his object—it was to preserve some regular accountability on the subject.] The resolution lies on the table, of course.

Mr. King, of N. Y. also laid on the table the following resolution:

Resolved, That a committee be appointed, on the part of the senate, jointly with one to be appointed, on the part of the house of representatives, to revise the rules and orders by which the business between the two houses shall be regulated, and to make report thereof to their two houses respectively.

[The purpose of this resolution was stated—it was to promote order in the proceedings, prevent hurry and give time for examination, &c.]

The rest of this day's sitting was occupied on executive business.

January 3. Mr. Johnson, of Kentucky, from the committee on roads and canals, reported a bill to keep in repair the national road from Cumberland, in Maryland, to the Ohio river; [authorizing the erection of toll gates, the appointment of toll gatherers, the rates of toll, &c.] and the bill was read.

Mr. Williams, of Mississippi, submitted the following resolution:

Resolved, That the committee on the public lands be instructed to inquire whether any legislative provision is necessary to authorize the payment, to the state of Mississippi, of three per cent. of the nett proceeds arising from the sales of the United States' lands within the said state, subsequent to the first of December, 1817.

The resolutions offered yesterday by Mr. King, of N. Y. were considered and severally agreed to.

Several bills of a private nature were variously disposed of.

The senate then, on motion of Mr. Holmes, of Maine, proceeded to the consideration of the bill "further to establish the compensation of officers."

of the customs, and to alter certain collection districts and for other purposes."

Considerable discussion took place on the principle, as well as the details of this bill, and it was finally postponed to Thursday next. Adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Dec. 28. Many petitions and reports were received, not necessary to detail. Mr. Floyd, after remarking he had very little doubt but that the law had been carried into effect with the same spirit which produced it, &c. but as some thought themselves aggrieved, &c. offered the following resolution:

Resolved, That the committee on military affairs be instructed to inquire and report to this house whether the army has been reduced, according to the provisions of the act "To fix the military peace establishment of the United States," passed on the 24th day of March, 1821.

The resolution was agreed to *nem. con.*

Mr. Trimble laid the following resolution on the table:

Resolved, That the president of the United States be requested to cause to be laid before this house such communications between the government of the United States and France, or such other information respecting the construction of the 8th article of the treaty of 1803, by which Louisiana was ceded, respecting the seizure of the *Apollon* in 1820, for a violation of our revenue laws, and also respecting the discriminations made in each country between its own navigation and that of the other—as in his opinion it may not be inconsistent with the public interest to communicate.

The act for the relief of Peggy Mellen was passed.

On motion of Mr. Sterling, of N. Y. the house then resolved itself into a committee of the whole on the bill to authorize a re-conveyance of a tract of land in the city of New-York—Mr. Hill in the chair.

[It appeared in the explanations and remarks of different members, that the "tract of land" alluded to, is an artificial island off the battery, on which Fort Clinton stands. That when the works for the defence of the harbor are completed, this fort cannot be of any use. That to keep the fort in repair, from the nature of its foundation, (loose stones thrown into the water), would cost a large sum of money, and that, if it was not now receded, a considerable expense must be incurred to keep it up, &c. The bill, without much direct opposition, was ordered to be engrossed for a third reading. But recommended the next day without special instruction.]

Mr. Rankin submitted the following resolution.

Resolved, That the secretary of the treasury be instructed to inform this house what causes have rendered a portion of the public funds unavailable, designating the places and times at which they have been received, and the sum at each place unavailable. Also, what bank notes he has instructed the receivers of public moneys of the land offices severally, to receive, in the payment of public lands; what rules or reasons have governed him in making such bank notes receivable at such offices; whether the notes of any bank, not redeeming its notes by specie, have been received, or now are receivable, in payment for public lands; what legislative provisions, if any, are necessary to prevent an accumulation of unavailable public funds, and for transmitting, safely, the public moneys received at the several land offices of the United States to the treasury or other safe places.

This resolution lies on the table of course.

The house then adjourned to Monday.

Monday, Dec. 31. Mr. Baldwin presented a petition from sundry inhabitants of West Florida, praying to be annexed to the state of Alabama, which, on motion, was referred to a select committee.

Mr. Smith, of Maryland, from the committee of ways and means, made a report upon the subject of the financial concerns of the United States, accompanied by a bill, entitled "An act to authorize the secretary of the treasury to exchange the stock bearing an interest of five per cent. for certain stocks bearing an interest of six and seven per

cent." The bill was twice read and committed.—[See page 297]

Mr. Davlington submitted the following resolution, which lies on the table one day of course:

Resolved, That the secretary of the treasury be directed to report to this house how much of the amount of fines imposed on the militia of Pennsylvania, for non-performance of military duty in the late war with Great Britain, has been received by the marshals of the several districts of the said state, and their deputies, respectively; how much of the sums so received has been paid into the treasury, or to the use of the United States; in whose hands any sums thus received, and not paid into the treasury, or to the use of the United States, have been retained; who are the sureties of such delinquents, and what the amount of their respective bonds; what instructions have been given to the officer or officers prosecuting on behalf of the United States in relation to said delinquents and their sureties; whether suits have thereupon been instituted against them for the recovery of the sums so retained, and what has been the result of said suits.

[In offering this motion, Mr. D. took occasion to remark, that a resolution, having the same object in view, was adopted by the house, on his motion, at the last session; but that, owing to some cause, unknown to him, it had never been received at the department, as he was informed. Certainly no report had been made to the house. He, therefore, was disposed to renew the attempt to obtain the desired information.]

Mr. Floyd's motion relative to disbursements made under the acts for civilizing the Indians, was taken up and agreed to.

On motion of Mr. Moore, of Pa. it was

Resolved, That the committee on the judiciary be instructed to inquire whether, by a late decision of the district court for the eastern district of Pennsylvania, a public agent, whose claim for certain allowances in defect of vouchers, had been rejected by this house, has defeated the United States in a suit against him, by an allegation substantially different from that preferred to congress, and one invalidated by evidence in possession of the government, of which the prosecuting officer could have availed himself for the benefit of the United States; and whether the officers prosecuting suits, on behalf of the United States, in the several districts, for the recovery of money retained in the hands of public agents, are, under existing provisions, unable to avail themselves of all the evidence relative to said suits, to be found among the records of congress or of the executive departments; and, further, to inquire what other provisions for securing the interests of the United States, in relation to the recovery of money improperly retained by public agents, it is expedient to adopt.

Several other resolutions were passed—to be noticed in their future progress.

The speaker presented a communication from the war department on the subject of the vessels sunk at the mouth of the harbor of Baltimore, during the late war, which was read, and, on motion of Mr. Little, was referred to the committee on claims.

The speaker also presented a communication from the navy department, estimating the additional expense of examining the different harbors belonging to the United States in the Pacific ocean, and transporting 150 tons weight of artillery to the mouth of the Columbia river at \$25,000.

On motion of Mr. Floyd, the said communication was referred to the select committee appointed on the subject of occupying a military post at the mouth of Columbia river.

The speaker further presented a communication from the comptroller of the treasury department, containing an abstract of the outstanding balances due on the books of the third auditor of the treasury, which was ordered to be printed and laid on the table.

The house adjourned till Wednesday—it not being usual to sit on new-year's day.

Wednesday, Jan. 2, 1822. Mr. Hemphill, from the committee on roads and canals, made a detailed report thereon, which shall be hereafter published, accompanied by the following bill:

AN ACT to procure the necessary surveys, plans, and estimates, on the subject of roads and canals.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the presi-

dent of the United States is hereby authorized to cause the necessary surveys, plans, and estimates, to be made, for a national road from the city of Washington to that of New Orleans, and for canals from the harbor of Boston to the south, along the Atlantic sea coast, and to connect the waters of the Ohio above with those below the falls at Louisville—Lake Erie with the Ohio river, and the tide-waters of the Potomac with the same stream at Cumberland; designating what parts may be made capable of sloop navigation, and for communication between the Susquehanna and the rivers Seneca and Genesee, which empty into Lake Ontario; and between the Tennessee and Savannah, and between the Tennessee, Alabama, and Tombecby rivers; and for such other routes for roads and canals, as he may deem of national importance, in a commercial or military point of view. The surveys, plans, and estimates for each, when completed, to be laid before congress.

Sec. 2. And be it further enacted, That, to carry into effect the objects of this act, the president be, and he is hereby authorized to employ two skilful civil engineers, and such officers of the corps of engineers, or who may be detailed to do duty with that corps, as he may think proper; and the sum of — dollars be, and the same is hereby appropriated, to be paid out of any of the moneys in the treasury, not otherwise appropriated.

The bill was twice read and committed.

On motion of Mr. Campbell, of Ohio, the house then proceeded to the consideration of the resolution, submitted by him a few days ago, requiring the secretary of state to cause a digest to be made of the returns of manufactures, &c.—and to cause 1500 copies of the same to be printed. The resolution was read a first and second time; and the question being on ordering the same to be read a third time—

Mr. C. Explained the grounds of this proposition, which was, generally, that the returns procured with so much labor and expense, were, in their present shape, of no manner of use, and could only be made useful in the way proposed. He had followed the course taken in regard to similar returns of the late census, with the exception of placing the execution of the work in the hands of the secretary of state instead of the secretary of the treasury, presuming that the digest could be made by the clerks in that office, instead of there being two thousand dollars paid for executing it, as was, in regard to the last census, paid to Mr. Tench Coxe.

Mr. Cocke, desiring to examine this subject more thoroughly before acting on it, moved to refer the resolve to a committee of the whole, and

Mr. Campbell assenting to the motion, it was referred accordingly.

Mr. Whitman called for the consideration of the resolution he had submitted in the early part of the session, requesting information from the president of the United States, relative to any misunderstanding which may have existed between gen. Jackson and judge Fromentin, in the territory of Florida, &c.

[The house agreed to consider the same. The matter was considerably discussed. Messrs. Whitman, Smith, of Md. Randolph, Cannon, Archer, of Va. Floyd, Baldwin, Wright, Edwards, of N. C. Sawyer, Montgomery, Rankin and McLane, made some remarks upon it, which we have not room to insert, or even to make a brief abstract of, at this late time in the week. Finally, the resolution having been modified, on the motion of Mr. McLane, (so as to call for such information as had not been hitherto communicated, provided, in the opinion of the president, the public interests were consistent with the disclosure,) was passed.

Thursday, Jan. 3. After the disposal of several reports, from different committees, of a private or local nature, and the introduction of some resolves, not necessary to notice now—Mr. J. T. Johnson, of Kentucky, submitted for consideration the following resolve:

Resolved, That the committee on military affairs be instructed to inquire into the expediency of establishing an additional national armory, to be located on the western waters.

On request of Mr. Cocke of Tenn. who desired time for a consideration of the subject, and by con-

sent of the mover, the resolve was ordered to lie on the table for the present.

On motion of Mr. Whitman, it was

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of authorising the building and equipment of an additional number of small vessels of war, or a force not exceeding 12 guns each, for the purpose of protecting the commerce of the United States in the West India seas and Gulf of Mexico, and to prevent smuggling and piracy.

Mr. Campbell, from the committee on the subject of the apportionment of representation according to the fourth census, presented a table shewing the results of the various ratios, which had been prepared for the committee, and, on his motion, it was ordered to be printed. It is expected that this important committee will report immediately—on Monday at farthest.

Mr. Smith, of Md. then moved that the house do resolve itself into a committee of the whole, to take into consideration the bill for making partial appropriations for the support of the military establishment for the year 1822. [This motion, being not in regular order of business, required an unanimous vote to carry it.]

The necessary unanimous consent not being given, Mr. Smith got at his object another way, by moving to postpone all the orders of the day which precede that to which he had referred; which motion was agreed to, 63 to 44; and

After filling up several of the blanks with various sums, and considerable discussion having taken place, the committee rose, and

The house adjourned.

CHRONICLE.

Captain Seth Webber, of Boston, who lately died at Liverpool, left the sum of 5000 dollars to different charitable institutions in Boston

Bank of the U. S. Messrs. Langdon Cheves, John Connelly and Pierce Butler, of Philadelphia; James Wilson, of Baltimore; and Charles E. Dudley, of Albany, have been appointed directors of this bank, on the part of the United States, for the year 1822.

Small pox. There were four deaths by this loathsome disease in Baltimore during the last week. Great efforts are making to eradicate it. The physician's appointed by the corporation, proceeded from house to house, offering vaccination gratis to the people.

Georgia. The school fund and the fund set apart for internal improvements, respectively, amount to 500,000 dollars, invested in bank stocks, except 100,000 dollars in "steam boat stock." The principals are to remain untouched, but the interest may be annually used—one half of the product of the school fund goes to the support of free schools. The penitentiary establishment shews an apparent profit of \$1,790 37, during the last year. The prisoners remaining on the 31st Oct. last, was 88.

Ohio. A bill has passed the senate, 29 to 4, reducing the pay of the members of the legislature to two dollars per day. It was thought that it would not pass the house of representatives. A committee has been raised in the latter to consider of the expediency of calling a convention. A resolution to repeal the law levying a tax on the branches of the bank of the United States, has been rejected in the senate, 27 to 6. Another to repeal the act withholding protection to the said branches, was under consideration.

Kentucky. An important report is before the legislature of the state as to the occupying claimants laws. A resolution recommending the passage of a general bankrupt law, applicable to all classes of

persons, was rejected in the senate by a large majority. An act has passed appropriating one half of the proceeds of the bank of the commonwealth to the purposes of education—but further aid appears to have been refused to the Pennsylvania university, on the plea that that institution was chiefly for the benefit of the rich.

A letter from Frankfort says, "the legislature are still pushing the paper system, having just passed another two year's replevin, when the plaintiff will not accept the commonwealth's paper, now 60 per cent. below par."

From the Geneva, N. Y. Gazette, of Nov. 28.—We have often witnessed, with pleasure, as evidence of the attention paid by our farmers to the profitable business of grazing, the immense droves of cattle, and occasional droves of horses, sheep, and latterly of hogs, which have passed through this place on their way to a southern market. But last week we were called upon to witness an article of export altogether new in our part of the country.—It was a drove of about three hundred and forty turkeys, who were making a pedestrian tour to grace the tables of our city epicures.

Destruction. The 42nd regiment of Highlanders, has consisted of 13,127 different persons, from the year 1797 to 1816!—In 1817, only three men were living in the corps, that fought against Bonaparte in Egypt.

NAVAL. *Boston Dec. 26.* Arrived yesterday the Portuguese ship *Marianna Falora*, capt. Nentura Anacleto de Brito. She was from Bahia for Lisbon, and captured by the U. S. schr. *Alligator*, lt. Stockton, and ordered for this port, under the command of lt. Abbot. She came into port with the same pendant flying, and displayed in the same manner as when she attacked the *Alligator*.

Extract of a letter from lt. Abbot, of the navy, to com. John Shaw, commanding naval officer in Boston, dated;

Boston harbor, Dec. 24, 1821,

"I have the honor to report to you my arrival at this place with the armed ship *Marianne Falora*, having on board all her crew as prisoners—29 in number.

"This vessel attacked the *Alligator* on the 5th Nov. (lat about 20 38, N. lon. 30 W.) in a most outrageous and piratical manner; but was foiled in her attempt to capture her, and, after an action of about an hour and a half, surrendered to the *Alligator*.

"She is a ship of between 300 and 400 tons; mounting 4 long 12 pounders, 2 long 6 pounders, and 4 24 pound coronades; 4 of which I was under the necessity of throwing overboard in a very heavy gale of wind in the Gulf Stream, on the 6th inst. in which gale we lost some of our spars and had our stern boat washed away.

"The prize crew consists of 16, including myself and two officers, midshipman George S. Blake, and Mr. J. Dixon master's mate; and it gives me pleasure to acknowledge their uniform, vigilant and correct conduct, and that they rendered me every possible aid.

"I will take the liberty to add, that the reason of the great length of the action, was in consequence of the long guns of the prize, and capt. Stockton's desire to get along side before he commenced, (the wind being light) gave her the fight to herself for more than one hour."

☞ It is most probable that this vessel will be given up. It does not appear that she was engaged

in an illegal trade—she took the *Alligator* for a Buenos Ayrean privateer, an illegal pirate; but how the commander will reconcile himself in hoisting a signal of distress, as it seems he did do, to excite the attention of capt. Stockton, who thereupon approached for the purpose of administering relief, and then to salute him with a broadside, we are at a loss to conjecture—and for which he has been rightly punished. The Portuguese ship is laden with sugar cotton, &c and was on her voyage from Bahia to Lisbon. The officers and crew have been strictly examined at Boston, and promptly liberated, on the ground that there existed no proof of their having attacked the *Alligator* with a piratical intention, having acted under the impression that she was a privateer, &c.

The U. S. schooner *Tartar*, lieut. Croxlev, arrived at Pensacola, affords the following particulars relative to the U. S. brig *Enterprize*, captain Kearney.

Captain Kearney having rescued the ship *Lucies* from the pirates, put a midshipman and some men on board, and ordered her to the Havana. On his arrival at Havana he found the *Lucies* in charge of a guard of Spanish soldiers, under the orders of the captain-general, claiming her as under his jurisdiction. Capt. K. repossessed himself of the ship, denying the right of the captain-general, and declaring that he would take her to the United States for adjudication. Whilst making his arrangements for this purpose, he was waited on by an officer of the government, and told that he would not be suffered to leave the port with the *Lucies*, and, if he persisted, his vessel would be sunk. This threat did not alter his determination, and shortly afterwards he made sail with his fleet, the *Enterprize*, *Lucies* and piratical vessels, resolved to carry his point at all hazards. He proceeded until he was nearly abreast of the Moro, when he was overtaken by another message from the captain-general, in which the captain-general offered to make himself personally responsible for the amount of salvage due the *Enterprize*, pledging himself to this effect. This was done with a view to conciliate, and capt. K. actuated by the same motives, yielded to the compromise, and gave up the *Lucies*.

A Spanish journal states the following as the amounts of the population of Spain and the Spanish dominions:

The kingdom of Spain	10,372,000
New Spain, or Mexico	7,550,000
Guatimala	1,200,000
Cuba and the Floridas	592,000
(The proportion of the Floridas now ceded to the U. States is not given.)	
Puerto Rico and St. Domingo	493,000
New Granada	1,690,000
Caraccas	900,000
Peru	1,500,000
Chili	900,000
La Plata	1,100,000
The Philippines	1,740,000
The Marianas	80,000

28,027,000

The revenues of Spain, in 1817, amounted to 620,000,000 of reals (about £6,000,000.) Its military force in 1806 amounted to 262,000, of which 110,000 were for the colonies. Its navy was composed of 283 vessels, of which 43 were ships of the line.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

DISCOUNTS. A Kentucky paper says, "In the commonwealth's and Kentucky bank notes, we are now paying *fifty* per cent. advance, for funds to meet discounts in the branch bank of the United States at Louisville, which is more than 10 per cent. per annum." The discount is now at about 70 per cent!

"A MAN OF OTHER DAYS." A gallant officer of the revolutionary army, in a long and friendly letter to me, says—"I was attached to the army seven years and ten months, during all which time I never lost more than one month's duty, and never was absent one day from my regiment without leave. I was engaged in more than thirty field actions, and besides assisted in the siege, storm, or capture of nine forts or fortified places, in which I received three wounds—one of which, even yet, pains me every day."

GOVERNORS. The following is a list of the governors of the several states on the 1st inst.

New Hampshire,	Samuel Bell.
Massachusetts,	John Brooks.
Rhode Island,	William C. Gibbs.
Vermont,	Richard Skinner.
Connecticut.	Oliver Wolcott.
New York,	Dewitt Clinton.
New Jersey,	Isaac H. Williamson.
Pennsylvania,	Joseph Hiester.
Delaware,	John Collins.
Maryland,	Samuel Sprigg.
Virginia,	Thos. M. Randolph.
North Carolina,	Gabriel Holmes.
South Carolina,	Thomas Bennett.
Georgia,	John Clark.
Kentucky,	John Adair.
Tennessee,	William Carroll.
Ohio,	Ethan A. Brown.
Louisiana,	Thos. B. Robertson.
Mississippi,	Walter Leake.
Indiana,	Jonathan Jennings.
Illinois,	Shadrach Bond.
Alabama,	Israel Pickens.
Maine,	Albion K. Parris.
Missouri,	Alex. McNair.

CONGRESS. A writer in the Leesburg "Genius of Liberty," makes it out clearly, that the sessions of congress cost the people between six and seven dollars every minute that that body sits on business. But there is a great deal of business done out of the house by the committees—indeed, most of the *real* business that is done is transacted by numerous sub-divisions of the members of the national legislature, some of whom have dray-horse like duty to perform, and labor most severely; and others, not engaged as committee-men, have much to do, to read and consider the different documents, papers, resolutions, bills, &c. submitted—though, perhaps, there are not many who actually read and consider all these things. There is no one in the world more opposed to set-speeches, made for the newspapers, than I am, or will go further to laugh them into contempt; yet however irksome they are, however against the rules of common decency and self-respect, certain members are sometimes deli-

vered of such speeches,—the waste of time, money and feeling may be partly considered as a tax paid for the freedom of debate. The abuse is so nearly allied to the use of discussion, that no rule can be adopted safely to regulate it. It must be left to the good sense of the representatives of the people to discountenance such speakers, by suffering them to talk unattended to—and to that of the people by laughing at them, when they are published.

THE REPUBLIC. By altering a part of one line of Jefferson's tragedy of "Braganza," we have a round of sentiments which we most heartily wish were in the mind of every American.

—Live the republic!

"Is here hereditary. 'Tis justinct;
'Tis principle, religion, vital heat;
'Old men, to listening sons, with their last breath,
Bequeath it as a dying legacy;
'Infants inhale it at the mother's breast;
'It circles with their blood, spreads with their frame;
'Its fountain is the heart,' &c.

MAD. CATALINI. This celebrated songstress, cleared 15,000 guineas during a four month's excursion to Russia, besides the receipt of presents from the imperial family and the nobility, worth, perhaps, as much more. The price of tickets of admission to hear her sing was fixed at 25 roubles, and her room was always so crowded that many could not get in. On one occasion she exhibited her powers before 4000 persons, and gave the whole proceeds to the poor. She was offered 10,000 guineas to give 10 concerts at Moscow, but fearing the climate, declined to accept the condition. In all her progress through Europe she has been courted by the most distinguished persons—the emperor of Russia "kissed her hands."—Her voice is still said to be in full vigor—she is now in England, and to appear in London next spring. Surely, she must be a wonderful woman—but, how much of her greatness depends on *fashion*? My venerable friend in Massachusetts says "fashion is every thing"—he thinks that there would not be a tenth part as many rogues, morally, politically, or religiously, if it were really fashionable to be honest and sincere.

FRATERNITY ON OUR NATIONAL AFFAIRS. arising from the perusal of the *president's late message*, and the "annual treasury report" to congress.

No. II.

In the close of our last remarks on the treasury affairs, we noticed that it was seen, with satisfaction, that the secretary of the treasury seemed to be prepared to adopt another course than to apply for a new loan. The course alluded to was a proposition to raise *additional revenue*. This may seem surprising, on a superficial view of the subject, considering that the president says in his message that, "under the influence of the most unfavorable circumstances, the revenue for the next subsequent years, up to 1825, will exceed the demands at present authorized by law." And the secretary, after exultingly presenting a view of an increase of the revenue from imported goods during the 2nd and 3d quarters of the [past] year,

*"Antipathy to Spain," in the tragedy.

calculates that the receipts will exceed the expenditure by \$1,162,000; and "confidently anticipates an increase of the public revenue," while he believes that the expenditure of the years 1823 and 1824 will not exceed that of 1822. In other words, the president and secretary present the flattering picture that, even under the most unfavorable circumstances, we will, at the end of three years, have a surplus of at least \$3,487,000; but, having an *increasing* revenue the while, it may yet be a great deal more. But, just as this picture was about to be finished, up starts the ghost of the *sinking fund*, (which has been consigned to the grave for several years) and, like a great hob-goblin, as it is, upsets the whole of the secretary's calculations, and apparently brings down his towering imagination of future wealth; chastening his mind into the plain and palpable theory of providing for the wants of the treasury, and paying the public debts, from circumstances within the control of the nation.

In order to show that a great, and, we hope, salutary change has taken place, and that we are indebted to the monitions of the *spirit of the defunct sinking fund* for it, we shall give the subject a little further examination.

Immediately after presenting the exulting view of the state of the finances for 1822, 3 and 4, beforementioned, the secretary adds—"But, in the expenditure of the year 1822, and also of 1823 and 1824, no part of the annual appropriation of \$10,000,000, constituting the sinking fund, is comprehended, except what is necessary to discharge the interest of the public debt, and the reimbursement of the six per cent. deferred stock. On the 1st January, 1825, and the three succeeding years, the debt contracted during the years 1812, 1813, 1814 and 1815, becomes redeemable at the will of the government. These sums greatly exceed the amount of the sinking fund applicable in these years?" [what years? it might be asked] "to the redemption of the public debt."

After proposing some modifications in the stocks, the secretary adds—"But, it is possible that the progressive increase of the revenue, which has been anticipated, and which is necessary to the full operation of the sinking fund, may not be realized. In that event, the public expenditure, authorized by law, may, after the 13th January, 1825, exceed the public revenue."

Having taken this view, so different from the confident anticipations of a former part of the message, and the opinion of the president, as quoted in the former essay, the secretary sets in earnest about proposing remedies, which will be afterwards noticed. In the mean time, we may just take a glance a fresh at that part of the president's message which bears upon the subject, in order to have a more lively view of the important change made upon the secretary's mind by the proposed resuscitation of the sinking fund.

The president says—"There are just grounds to believe that the improvement which has occurred in the revenue will not only be maintained, but that it will progressively increase through the next and several succeeding years—so as to realize the results which were presented upon the subject, by the official reports of the treasury, at the commencement of the last session of congress."

Now what were these results? By turning to the official report of the treasury, Dec. 1820, [see *Niles' Register* vol. 19, page 232.] it will be seen that the secretary says, "the annual revenue for the

four succeeding years may be estimated as follows, viz:

Customs	- - -	\$18,500,000
Public lands	- - -	2,500,000
Bank dividends, 6 per cent	- - -	420,000
Incidental receipts	- - -	80,000

Making an aggregate of It is already seen that the revenue for 1821, will be only about

\$21,500,000
\$14,812,000

Being short of the "result presented" for that year 6,688,000

Yet, the president still says, "there are just grounds to believe, from the improvement which has occurred, that the results which were presented will be realized for the next and several succeeding years."

But it is pretty clear that the secretary does not believe any such thing; for, instead of making his estimates for 1822 at \$21,500,000, he makes it \$16,110,000—viz.

Customs	- - -	14,000,000
Public lands	- - -	1,609,000
Bank dividends	- - -	350,000
Arrears, repayments and incidents,	- - -	160,000

\$16,110,000

And the grand auxiliary of the treasury, the "National Intelligencer," reaches a gentle rebuke to "our financiers," for being too sanguine in their calculations, and adds—"If all the appropriations made by law had been called for during the year, the treasury would have been deficient (deducting the unavailable funds) by somewhere about \$1,500,000 dollars!"

Now, let us notice the remedy proposed by the secretary in case of a deficiency. "The remedy in such case, says he, must be—1st, an increase of the public revenue by an addition to the existing impositions; or, 2d, a reduction of the sinking fund!" By the way, the sinking fund being already ALL absorbed, the proposition to reduce it is a most capital financial joke. When the editor of the "Franklin Gazette," bless the mark! talked in that strain about it some weeks ago, merchants and accountants of our acquaintance, began to question whether he was in his right mind. But we will pass that over just now. The representatives of the people will have no difficulty about the mode of sinking the national debt, if the means exist for sinking it. It must be pretty clear by this time that these means do not exist now; and this leads us to take a view of the first proposition of the secretary which proposes to augment them. He says "a general revision and correction of the duties imposed upon foreign merchandise seems to be required." [So the friends of national industry have said, for many years; witness Mr. Baldwin and others.] Very well!—He goes on—"many of the articles which pay but 15 per cent *ad valorem*, ought, in justice, as well as policy, to be placed at 25 per cent. which is the duty paid upon the principal articles of woollen and cotton manufactures, [very well!] The same observation is applicable to some of the articles which pay 20 per cent. *ad valorem*, (very good!); a correction of existing duties WITH A VIEW TO AN INCREASE OF THE PUBLIC REVENUE, could hardly fail to effect the object to the extent of \$1,000,000 annually!" Now this is all vastly well, and very clever. It is true, that it militates materially against former opinions entertained at the treasury, inasmuch as the fact comes out that it is possible to augment the revenue by increasing

the duties, whereas the friends of industry have often been censured, as enemies of the revenue, for making any proposal of the kind. However, this is so favorable a symptom that the friends of internal industry hail it as the commencement of "a new era of good feelings," and will cultivate it to the utmost of their power. It goes nearly half way to meet the tariff bill reported by the committee on manufactures in 1820; and it is presumed that it would be no difficult matter for the parties to make such a compromise as would lay the foundation for an efficient permanent revenue, and at the same time, be highly conducive to the progress of national industry. But as a full consideration of this subject is calculated to lead us into a wide and important field, we shall reserve it for another number.

No. III.

In the last number we took notice that the new proposition of the secretary of the treasury, to revise and correct the duties upon foreign merchandise, "goes nearly half way to meet the new tariff, and that it would be no difficult matter for the parties to make such a compromise as would lay the foundation for an efficient permanent revenue, and at the same time be highly conducive to the progress of national industry."

That we may have a clear view of this part of the subject, it may be of importance to submit a view of the leading features of the present tariff—

Class 1st. Articles paying 7½ per cent.—Gums, drugs, embroidered work, jewelry, gold and silver lace, nitre, paste work, pearls, precious stones, &c. watches, manufactures of silver, veils, lace shawls, &c.

Class 2d. Articles paying 15 per cent.—Printed books, butter, gold leaf, ginger, mats, silk stockings, silk manufactures, stuff manufactures, tin in sheets, vinegar, linen, and a number of articles not enumerated.

Class 3d. Articles paying 20 per cent.—Arms, brass manufactures, china, porcelain, stone ware, &c. cotton stockings, cutlery, gilt and japanned wares, manufactures of glass, manufactures of lead, pewter, &c. looking glasses, moulds, tapes, needles, pins, Prussian blue, sail cloth, &c.

Class 4th. Articles paying 25 per cent.—Cotton manufactures, twist, yarn, thread, &c. copper manufactures, plated wares, woollen manufactures.

Class 5th. Articles paying 30 per cent.—Blank books, hats, caps, bonnets, &c. cabinet wares, carriages, ready made clothing, fans, feathers, &c. floor cloths, umbrellas, parasols, &c. cut glass, paper hangings, manufactures of leather, millinery, saddlery, whips, &c. and a great variety of articles of inferior note.

Class 6th. Articles paying specific duties.—Wines, about an average of 28 cents per gallon; spirits 44; molasses 5; teas about an average of 32½ per lb. coffee 5; sugar about an average of 3½ cents per lb; salt 20 cents per bushel.

Class 7th. All other articles paying specific duties.—The principal articles are—duck, sheeting, beer, oils, cocoa, chocolate, almonds, currants, prunes, figs, raisins, candles, cheese, soap, tallow, spices, tobacco, indigo, cotton, gun powder, bristles, glue, ochre, white and red lead, lead and manufactures of lead, cordage, copper, iron, steel, hemp, alum, copperas, coal, fish, glass bottles, boots, shoes, cigars, playing cards.

Now, it will be seen, by consulting the tariff bill reported by the chairman of the committee on manufactures (see Weekly Register, vol. 18, page 133) that the proposed addition to the old tariff would

average nearly a third more than the old. The principal rise was on cottons and woollens, which were proposed at 33 per cent. being an increase of 8 per cent; and for linens and silks, which were proposed at 25, being an increase of 10 per cent. The time is now over and gone, when the government of the United States had the power of doing any thing material to aid manufactures, and gentlemen who were opposed to the new tariff can now look upon it with a more impartial eye. Will they now say that such a proposition was "utterly indefensible;" that it was calculated "to promote one branch of American industry at the expense of another." That it was "a rash attempt to adopt principles which have not been tested" That it was calculated "to put a tax into the pocket of the manufacturers, and not into the public treasury. That manufactures can only be encouraged at the expense of other classes of society" That the attempt to do so proposed "an unlimited burde to be imposed upon the country." That the proposition was made "WITH THE JUST CONVICTION THAT IT WOULD IMPAIR THE REVENUE" That its tendency was to "discourage commerce and lower the price of every article of produce" That it was "calculated to defraud the government of its just dues, and expose the people to the necessity of a much more numerous contribution;" and, finally, that it was "injurious to the government oppressive to the people, and DANGEROUS TO THE STABILITY OF MANUFACTURING INDUSTRY."—[See Mr. Lowndes' speech, delivered in the house of representatives, 24th April, 1820, as published in the Southern Patriot, and also in the Register, vol. XVIII, page 259.]

The foregoing serves as a specimen of the kind of arguments that were urged against a very moderate augmentation of the duties. The speeches of the other opponents were all much to the same effect. Whether the gentlemen were fully impressed with the belief of all that was said, or whether they indulged in figures of speech, can only be known to themselves; but it is very certain the secretary of the treasury is now fully satisfied that the measure is neither calculated to "injure the government" nor "impair the revenue." So far from it—he gives it as his deliberate opinion, that "a correction of existing duties, with a view to an increase of the public revenue, could hardly fail to effect the object to the extent of \$1,000,000, annually."

What will Mr Lowndes, and his friends, say to that? Now, what correction of existing duties does Mr. Crawford propose?

1st. A general revision and correction of the tariff, WITH A VIEW TO AN INCREASE OF REVENUE:

2nd. That articles paying 15 per cent. ad valorem shall be advanced to 25 per cent.

3rd. That articles paying 20 per cent. ad valorem should be advanced to 25 per cent.

By looking at the schedule of merchandise paying ad valorem duties for 1820, it will be seen that the articles paying 15 per cent. amounted to \$9,407,000, and the duty 1,411,000 Those paying 20 per cent. amounted to 2,401,000, and the duty 436,000

Together \$1,847,000
Now, Mr. Crawford says that many of the articles in the first class should be raised to 25 per cent. being an advance of 10 per cent. and some of the articles in the second class, should also be raised to 25 per cent. being an advance of 5 per cent. and that a general revision and correction of the existing duties, with a view to an increase of

the public revenue, could not fail to produce \$1,000,000. But it will be seen that these advances on the *whole* of the articles, supposing the amount to be the same as in 1820, would only produce \$1,060,000; and, therefore, Mr. Crawford must look to other articles in the tariff, with a view to an increase of the public revenue; and it is seriously believed that he could not do a wiser thing than fall in with and support the general principles of the tariff bill, as reported by the committee of manufactures,—provided, that committee will again consent to bring it forward. In that case it might be so modified as to meet with very general approbation. As it now stands, it passed the house of representatives by a majority of 90 to 69; and was only *postponed* in the senate till the next session, by a majority of 22 to 21, and several of the senators, who were in the majority, have declared that, with some modifications, they would have voted in favor of it. Now that the secretary of the treasury has approved of at least one third part of it, this alone ought to reconcile at least two of the senators to its general principles; and, by some modifications, it could be, no doubt, made acceptable to many more, and so command the approbation of a very respectable majority of both houses.

Upon the whole, it is clear that the sense of a very large majority of the people of the U. States is in favor of the modification of the tariff proposed by the bill reported by the committee on manufactures. It is equally clear, that the executive government has been hitherto opposed to it. It was predicted *“that the extreme pecuniary pressure on the people would rapidly curtail the importation and consumption of foreign goods, and bring about a HOME TRADE of incalculable advantage to the country, BY RENDERING THE IMPORTATION OF SUCH GOODS LESS AND LESS NECESSARY. THAT, IN CONSEQUENCE OF THESE THINGS, THE REVENUE OF THE U. STATES, NOW DERIVED FROM FOREIGN GOODS, WOULD FAIL; THAT WHEN THE PEOPLE AND THEIR GOVERNMENT WOULD FEEL ALIKE PECUNIARY DIFFICULTY, EFFICIENT MEASURES WOULD BE RESORTED TO TO RELIEVE IT; AND THAT NOTHING ELSE WITHIN OUR CONTROL WOULD RENDER THE COUNTRY PROSPEROUS, BUT A WELL DEVISED SYSTEM OF LAWS TO PROTECT DOMESTIC INDUSTRY AND SECURE A HOME MARKET.”* [See Niles' Register, vol. 18, page 297.]

Whether the period has yet arrived for the people and the government to *feel alike*, we will not undertake to say: but it is very certain that the revenue of the United States has, in a great measure, *failed*; and it is equally certain that the secretary of the treasury considers it necessary to resort to efficient measures to relieve the distress which must inevitably come upon the government by the year 1825. It is to be presumed that the committee on manufactures will improve the present opportunity, by trying the question of general revision and increase of the tariff.

If they are successful, the government will have most cause to rejoice; if unsuccessful, they may then rest satisfied, in the consciousness that they have discharged their duty. As to manufacturing industry, *THAT WILL NOW SUPPORT ITSELF.* “The extreme pecuniary pressure upon the people” has been a most potent legislator; manufactures have sprung up and spread through the whole country *from necessity*, and the fabrics are, generally speaking, excellent; while foreign manufacturers are reduced to the necessity of resorting to every species of deception to compete with them. (See in a late London Monthly Magazine, a patent granted for a most disgraceful plan of filling up thin cotton goods with a *pulp* made

from cotton or linen rags, with or without starch).* The force of these circumstances “is rapidly bringing about a home trade of incalculable advantage to the country, and is rendering the importation of foreign fabrics less and less necessary.” If the government see the subject in its true light, and join the friends of national industry in devising efficient measures to remove the pecuniary difficulty that is impending over the treasury, all will be well; if not, the friends of industry will leave the subject in the hands of the government. *Manufacturing industry will now protect itself*, and people of all classes in the United States, who are industrious, will find employment, and gradually get over the pecuniary difficulties in which they have been involved by the neglect of the government. Then let the government (by which is meant the executive government) and its supporters in repressing national industry, get over their difficulties in the best way they can. But believing, as we have already stated, that the government now see the necessity of changing its policy, we shall add another number to these essays, to shew the probable effect which the adoption of the new tariff, or something similar to it, would have upon our national affairs.

Communicated on behalf of the

FRIENDS OF NATIONAL INDUSTRY.

“AMERICAN MANUFACTURES.” Under this head, the editor of a *Quebec* paper has the following remarks:

“Great efforts are at present making in the United States to manufacture for themselves. Premiums are awarded at all the agricultural exhibitions for articles of home manufacture. The following are some of the articles which received premiums at an exhibition held in a part of the state of New York, bordering on Lake Ontario.

“Woollen cloth, flannel, carpetting, worsted stockings, worsted bombazetts, worsted cloth, pressed flannel, rose blankets, cotton and woollen coverlets, bleached linen, linen diaper, grass bonnets in imitation of Leghorn; straw bonnets, bed-tick, casemere shawls, hearth rugs, fur hats, wool hats. The females of one family manufactured within the year 429½ yards of cloth, 23 pairs socks, 10 pairs woollen socks, 2 pairs cotton stockings, 23 pairs woollen mittens and one pair coverlets.—One person produced a *suit of clothes*, made on the day of exhibition, at his factory in Manchester, entirely of raw materials. Another produced a specimen of *cambric thread*.

“This is one of more than a hundred similar exhibitions of which we have seen accounts in the American papers within a few months. Mr. Jefferson’s policy of keeping the workshops of the United States in Europe, seems to be altogether abandoned.† The want of foreign demand and the consequent low price of agricultural produce in such countries as the interior of the state of New York, together with the influx of emigrants in that quarter from Great Britain, by the St. Lawrence,‡

* There is another plan in operation for impregnating them with a shining mineral substance, to make them look bright and feel heavy. We will probably be favored with a sight of a patent for that also in a short time.

† Mr. Jefferson has, himself, long since abandoned the policy spoken of. ED. REG.

‡ We have long been aware of the fact that many emigrants from Great Britain make use of the facilities afforded them as “settlers in Canada,” to become settlers in the United States.

will probably operate a change in the interior of the United States, which naturally ought not to have occurred so soon, in a country where every person may so easily become the cultivator of lands belonging to himself.—The consequence of this change will be, that the workshops of Europe will, partially at least, be transported to North America, where there is now a contiguous population of twelve millions of souls, readily communicating with each other by internal navigation and coasting."

LEGISLATION. The following letter, addressed to the editor of the New York "Statesman," contains some novel ideas on the subject of legislation, and, its insertion being requested, we cheerfully give it a place:

Respected friend—It is evident that the world has ever been indebted for all its inventions and improvements to the ingenuity and enterprize of a few individuals; and it has been in consequence of the encouragements and rewards they have received, that we have arrived to such a degree of perfection in the useful arts. By introducing a similar policy into our political institutions, the result would be the same.

But so long as we are in the habit of equally rewarding the indolent and undeserving, we effectually destroy all inducements for improvement, and lose the benefit of those talents, which are, at all times, capable of rendering a country prosperous and happy; for, but few men possess so much patriotism, as to sacrifice their time and talents without a prospect of reward.

Had the legislature, instead of enacting a law for calling a convention to revise the constitution of this state, simply proposed liberal premiums to be awarded to those who should present, within a limited time, the best modes, we should have been furnished with some of the most perfect the political world ever produced, with comparative little expense. A convention might then have been elected for the purpose of comparing and approving, or they might be presented to the people for their approbation. Likewise, our legislative system might be conducted upon the same plan.—Our government would, by such management, arrive to the summit of human perfection; for nothing, intended to secure or promote our happiness, is out of our power to accomplish.

As none but the useful could find a place, it would become the pride and ambition of all, who wished to be distinguished, to excel in promoting the public good.

Legislation requires too much experience and investigation to be performed by any set of men promiscuously selected; for we discover how difficult it is in popular assemblies, composed of such a variety of genius, interest, and feeling, to devise or thoroughly digest any system. As pure republicanism consists in promoting public good, I know not what can be the motive of multitudes, who are forcing their way into public service, without being able to discover any defect or proposing any reformation or improvement in the government.—Does not this argue that something is wrong? Or why is this the case? If we look into the mechanical world, we observe no such inconsistency, and the reason is obvious—because none but the useful are rewarded—but, for want of this policy, the political world has ever been filled with violence, outrage, and wrong.

F.

Herkimer, 10th Nov. 1821.

National Law Case.

The following is the proceedings of the general court of Virginia, in the case of three seamen arrested, and adjourned to this court by judge Brockenbrough—see page 181, of the present volume.

FROM THE RICHMOND ENQUIRER.

On the 31st of October, 1821, William Pool, Matthew Thompson and Asa Wilson, presented their petition to the superior court of Henrico county, setting forth that they were imprisoned by the jailor of the said county, and that such their imprisonment was not authorized by law; they therefore prayed a writ of habeas corpus ad subjiciendum, which was awarded. By the return to that writ, it appeared that the petitioners were sailors, who had regularly signed a contract within the intent and meaning of the act of congress, passed the 20th of July, 1790, by which contract they had agreed to perform a voyage or voyages, not yet finished, or the contract concerning it altered or otherwise dissolved; that the petitioners had deserted from the ship or vessel, and being brought before Joseph H. Mayo, a justice of the peace for the county of Henrico, before whom the facts aforesaid were proved, the said petitioners were committed to the jail of the county aforesaid, until thence discharged by due course of law. In addition to the facts stated in the return, it was proved to the said court that the petitioners are citizens of the United States. Whereupon, with the consent of the petitioners, the questions arising upon their case were adjourned to the general court for its opinion, whether the petitioners ought to be discharged from the custody of the said jailor.

Upon the case thus stated, the following questions have arisen, and been argued at the bar:

I. Had the superior court of Henrico jurisdiction to award and discharge under a writ of habeas corpus, in cases where the petitioners are confined under color of the authority of the United States?

II. Is that part of the act of congress, passed July 20th, 1790, which directs the justice of the peace to commit the petitioners under the circumstances before stated, made in pursuance of the constitution of the United States?

III. What is the legal effect of the contract made by the petitioners with the master or commander of the vessel mentioned in the return; and how is the same affected by the commitment set forth in the case?

Upon the first question it is the unanimous opinion of this court, that the writ of habeas corpus may be properly issued by a state judge, on the application of any party who, by proper affidavit, shews probable cause that he is unlawfully restrained of his liberty; that the question, whether the law authorizes his confinement, is to be decided by the laws of the state, considered as a member of the United States; that we are to consider all persons lawfully restrained of their liberty, who are confined in obedience to the constitutional laws of this state or of the United States. In the practical application of these principles, the state judges will not discharge a party, whose commitment is regularly made, with a view to a prosecution in the courts of the United States, for an offence actually committed and cognizable therein; neither will the judges of the state courts as such admit the party to bail. Whether they will look beyond the warrant of commitment, when made by any other than a judge of the courts of the United States, and inquire into the fact, is matter of sound discretion, to

be regulated by the circumstances of each particular case. But it is the opinion of this court, that the state courts and judges have concurrent jurisdiction with the courts and judges of the federal court in all cases of illegal confinement under color of the authority of the United States, when that confinement is not the consequence of a suit or prosecution pending in the courts of the United States, in which the allegation upon which the commitment is made will be tried. As, therefore, the commitment in question is connected with no such regular suit or prosecution, it is the opinion of this court that the superior court of Henrico had jurisdiction of the questions arising in this case.

In considering the second question proposed, the general power of the congress of the United States to authorize the arrest and commitment of offenders against the laws of the United States, by persons designated as holding offices under the state governments, has been brought into review. It has been contended that the congress of the United States possesses no such constitutional power, because the warrant to arrest, and the decision upon evidence that the accused ought, (by the laws of the United States), to be committed for trial in the courts thereof, are judicial acts; that those who perform them, exercise a portion of the judicial power of the United States, which power can, constitutionally, be exercised by such courts alone as have been, or may be established by the constitution of the United States, and laws made in pursuance thereof. And it is farther contended that the commitment ordered in the present case, is embraced by the principles of this objection.

Upon the question, how far, and in what manner, a justice of the peace of the state of Virginia may decide that a party brought before him shall be committed to jail for trial, and to order his commitment accordingly, without exercising the judicial functions with which he is clothed by the state, there is a diversity of opinion among the judges of this court, and we have come to no definitive conclusion, whether the act of commitment, as required to be performed by the act of congress called the judicial act, be strictly ministerial only, or partaking, in part, of the judicial character, as those acts would be characterized by the common law, and laws of Virginia. But a majority of the court are of opinion, that, whether such acts of commitment be strictly ministerial or not, as they would be defined by the common law, they are not such acts as the constitution of the United States intended to vest exclusively in the courts therein provided for. While it is admitted that we may fairly refer to the common law, and to the sages thereof, for aid in determining what is the precise meaning of the first section of the third article of the constitution of the United States, it is perfectly manifest that a literal adherence to the common law definition of juridical power, followed in every case, would impose a meaning on the article in question, which never entered into the heads of the framers, or any one practically engaged in carrying the constitution into effect. To state a single instance, the administration of an oath. If any one act, as ancillary to the administration of justice, has been uniformly called, by the common law writers, a judicial act, it is this one of administering an oath; and yet can any man in his senses believe that the framers of our constitution intended that every custom house officer, commissioner of the revenue or excise, commissioner to take depositions, commissioner in bankruptcy, and to settle various other incidental and occasional matters, should hold his

office during good behaviour, and at stated times receive for his services a compensation not to be diminished during his continuance in office? Most or all of these officers and special commissioners have been authorized to administer oaths, and have done so, without an insinuation that they were exercising the judicial powers of the union. The remark made on this part of their duty, applies equally well to various other things of a seemingly judicial nature which they are in the constant habit of doing. The commissioners to decide upon the claims on the Louisiana fund, did exercise, and the commissioners now deciding on the claims on the Florida fund, must exercise quasi judicial powers; a general view of which subjects is sufficient to shew that the term judicial power, as used in the constitution of the United States, must be understood to mean what those terms imported at the time, not by resorting to any rigid, technical definition, but to their natural import, understood with reference to the subject matter in allusion to which they were used. Thus understanding the terms, we are of opinion, that the constitution directs that all the regular and permanent duties, which properly belong to a court in the ordinary and popular signification of that term, shall be performed by the courts described in the constitution; the judges of which courts shall hold their offices during good behaviour, &c. There is, therefore, nothing in the constitution which prevents a ministerial officer, or other person, by law directed to do and perform any act, which may be necessary to bring an accused party before a court possessing the judicial power of determining on his guilt or innocence. We are, therefore, of opinion, that commitments made under the aforesaid act of congress, by the persons therein described, are lawful and right, provided they pursue the authority under which they act. But we are not to be understood as affirming that the congress of the United States can give jurisdiction to, or require services of, any officer of the state governments as such. The direct contrary is the opinion of the court; but what we have affirmed, and do affirm, is, that congress may authorize any citizen of the United States to perform any act which the constitution of the United States does not require to be performed in a different manner.

We are then to inquire, what is the legal effect of the contract made by the petitioners with the master or commander of the vessel, and how that is affected by the commitment complained of? The first question here presenting itself is by what authority did the congress of the United States define the obligation of the contract in question? The answer is, that, by the 3rd clause of the 8th section of the 1st article of the constitution of the United States, the congress have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes. And, by the 17th clause of the same section, they have power to make the laws necessary and proper for carrying the power first mentioned into effect. It is believed that the regulation of seamen to be employed in the merchant service may be assumed to be necessary, without entering on the controverted ground to which it is supposed that these words necessary and proper, in some cases, lead. It is not perceived that this commerce over which the congress possess the entire control could otherwise be carried on. The right then to give a rule on this subject being established, the question recurs, what is that rule as it relates to the case before us? The answer is, that a seaman who regularly signs a contract is by the law bound to specific

performance, and may not elect to pay damages for non-performance as in ordinary personal covenants; nor is this effect of an engagement for personal services unknown to the statute laws of Virginia: The law is understood to be the same in respect to apprentices, to servants, under the act of 1785, and to foreign seamen, under the act of 1805, as well as to soldiers belonging to the army, and sailors belonging to the navy. These are all mentioned together, because we know no difference between the effect of an engagement constitutionally defined by act of congress and one defined by the laws of this state. In any of the cases above supposed, as well as the very case before the court, the master or commander, as the case may be, may, by himself or with others, his assistants, pursue, and by force, bring back his deserted apprentice, servant, sailor or soldier. The particular provisions of the act of congress which authorized the interference of the justice of the peace, may be said, in some sort, to be a restriction upon the rights of the captain, since, impliedly at least, it would seem to deny the right of using the house of correction or common jail for the purpose of safe keeping his deserted sailor, without having the case examined by the person authorized by the act of congress; but perhaps the better opinion is, that the act of congress designed to give the jailor, who might act as an assistant to the captain of the vessel, a protection against the charge for false imprisonment, should the sailor, in truth and in fact, not be under the obligation charged upon him. The imprisonment directed by the act of congress, is for no determinate period, is not inflicted as a punishment, and is not directed with a view to any trial, for any offence whatsoever. We cannot therefore regard the execution of this part of the act of congress as the prosecution of a public offence. And while the powers exercised by the magistrates are, at first view, of a seeming judicial character, and would perhaps be so defined by the common law, we are justified in saying that the case did not present such a judicial question as was necessary or proper to be carried into court by formal process; using the term court, in the sense we have before stated it to have been used in the constitution of the United States. If the nature of the duty required to be performed, rendered it doubtful in the minds of some, whether it were necessary to carry it into a regular court or to be tried by a jury, the legislature of the state of Virginia, in the act of 1805, answers the question, almost, if not entirely, in the words of the act of congress, and directs the same proceedings; it is true, that the act of 1805 provides for the case of foreign seamen only; this is explained by the fact that the language of the act of congress does not apply to contracts made without the jurisdiction of the United States, as to which the *lex loci* would give the rule. But both laws ameliorate the condition of the sailor, first, by requiring the contract to be reduced to writing, and, secondly, by requiring the consent of the justice of the peace before he shall be thus restrained of his liberty. We understand the nature of a sailor's engagement to bind him to specific performance by the commercial laws of the civilized world. By the laws of Wesbury, a sailor who received part of his wages and deserted, was to be hanged; and when a sailor engaged himself to two captains, the first had a right to take him from the second, and compel him to go the voyage. These laws, with those of Oleron, now form the basis of the maritime codes of Europe. and in some degree, are supposed to be adopted by the constitution of the United States, as they were certainly to

be resorted to by our courts of admiralty previous to the adoption of the federal government; and it has been again and again determined by the courts of admiralty in this country, that the act of congress alters the general maritime law only so far as it gives a new rule, and the rights as well as the obligations of the mariner are clearly subjects regulated by these maritime laws, and acted on every day, in the courts of admiralty. — The act, therefore, which has been done in this case, might as well be done by individuals appointed by law, or persons designated by general description. If, therefore, Joseph H. Mayo, (being one of the persons designated), has pursued his authority, his act must be effectual to every legal intent and purpose. The commitment is made in precise conformity with the act of congress, and the petitioners have not suggested that the facts on which it was grounded do not exist; they must therefore be remanded to the jail of the county of Henrico, there to remain until the vessel to which they belong, and named in the proceedings, shall be ready to proceed on her voyage, or the captain shall demand their discharge: Which is ordered to be certified to the superior court of law for the county of Henrico.

Judges Semple and R. E. Parker dissented from that part of the foregoing opinion, which determined that persons exercising functions under a law of the U. States, were not officers of that government and to be appointed as such;—and judge Daniel concurred in the court's opinion for reasons somewhat different from those assigned.

Seventeenth Congress—first session.

IN THE SENATE.

January 7. Mr. Lloyd and Mr. Pinkney, of Md. appeared to-day and took their seats.

Mr. Dickerson communicated to the senate the following preamble and resolutions, adopted by the legislature of New-Jersey:

Whereas controversies exist between the states of New-Jersey and New-York, and of New-Jersey and Delaware, concerning their respective boundaries: And whereas the constitution of the United States has declared, that the judicial power of the general government shall extend to controversies between two or more states, thereby providing for the legal settlement of disputes, which might, otherwise, endanger the peace and safety of the union: And whereas congress have hitherto omitted to carry into effect the wise and salutary provisions of the constitution for that purpose, by vesting adequate powers in the courts of the United States: Therefore,

Resolved, by the council and general assembly of this state, That our senators and representatives in congress be requested to use their endeavors to procure the passage of a law for the decision of territorial or other controversies between the states, in such manner as is authorized by the constitution of the United States.

Resolved, That his excellency the governor be requested to transmit copies of the foregoing preamble and resolution to each of our senators and representatives in congress, to be by them laid before their respective houses.

The document was read, and, on motion of Mr. Dickerson, it was ordered to be entered at large on the journal of the senate—ayes 19, noes 12.

The senate, according to order, took up the following resolution, submitted on Friday last, by Mr. Knight:

Resolved, That a committee be appointed to inquire into the propriety of reducing the compensation of the members of the senate, members of the house of representatives of the United States, and delegates of territories, and all other officers in each of the executive departments and post office establishment; and that said committee have leave to report by bill or otherwise.

[A considerable discussion followed. Mr. Johnson, of Ky. wished to hear some reasons in support of the proposition—he thought that the present compensation was not unreasonably high, &c. He hoped, at any rate, that the mover of the resolution would consent to its lying on the table some time longer.]

Mr. Knight consented to this; but Mr. Otis thought it best to postpone it altogether—the subject might,

with more propriety, be brought up in the other house. Mr. *Linman* was opposed to an indefinite postponement—he thought it became the senate to examine the proposition, &c. Other gentlemen spoke on the subject, and it was finally laid upon the table.

Mr. *Linman* communicated to the senate a preamble and sundry resolutions of the legislature of Connecticut, declaring it expedient for congress to retrench the public expenses, and particularly, so to reduce the per diem allowance of members of congress to the former sum of six dollars; and the communication was read.

The engrossed bill for the relief of Thomas Shields, was read a third time, passed, and sent to the other house for concurrence.

A bill for keeping in repair the Cumberland road, was considered, and, after some progress therein, postponed until Wednesday.

Several other matters were before the senate, which will be noticed hereafter.

January 8. Mr. *Johnson*, of Lou. laid on the table the following resolution:

Resolved, That the committee on roads and canals be instructed to inquire into the expediency of providing by law, for the repairing and the preservation of the military road, beginning at Madisonville, in the state of Louisiana, and terminating at Florence, on the Tennessee river.

[Mr. J. supported his resolution by some remarks—after which, a bill for the relief of John Coffee being read the third time and disposed of, the senate went into the consideration of executive business.]

January 9. Nothing important transacted this day—a part of which was spent in the consideration of executive business.

January 10. The senate spent the greater part of this day's sitting on executive business.

Mr. *Lloyd* submitted the following resolution for consideration:

Resolved, That appropriations of territory for the purposes of education, should be made to those states, in whose favor no such appropriations have been made, corresponding in a just proportion with those heretofore made to other states in the union.

Resolved, That the foregoing resolution be referred to a select committee, with instructions to report a bill pursuant thereto.

HOUSE OF REPRESENTATIVES.

Thursday, Jan. 3. [Further notice of proceedings.] On motion of Mr. *Cocke*, it was

Resolved, That the report of the committee on military affairs, upon the subject of the employment of officers of the army, as clerks in the war department, and the extra pay allowed to them for such services, made at the last session of congress, be referred to the committee on military affairs.

Mr. *Cocke* submitted for consideration the following resolution:

Resolved, That the secretary of the treasury be directed to report to this house the manner in which the several land offices of the United States were examined, prior to the 1st day of January, 1818; the names and places of residence of the persons by whom such examinations were made; the respective compensations allowed to each individual so employed, and the whole expense thereof to the United States.

And, also, that he report the manner in which the same duty has been performed since the said 1st day of January, 1818—together with the names, professions, and stations, and place of residence, of the persons who have been appointed to make such examinations; what offices each was appointed to examine; the reports made by each; the accounts presented for their respective services; the amount of money allowed to, or drawn, or retained, by each of them; whether any of them have, during the said period, been allowed or received any other compensation from the government; if so, how much, and for what service rendered or duty performed;—and whether some plan may not be devised whereby the same duty may be performed with equal advantage and less expense to the government.

This resolution lies on the table of course.

Mr. *Smith*, of Md. having obtained a consideration of his motion calling up the bill making partial appropriations for the military establishment for the year 1822, as stated in our last, handed to the chair two letters from the secretary of war to the committee of ways and means, which were read.

[The letters, dated Dec. 17 and 22, which Mr. S. handed in, state that the appropriations for the quartermaster general's department, and the Indian department, are exhausted, and that the appropriations for the pay and subsistence of officers of the army will be so at the close of the year; and that a partial appropriation, for 1822, of \$150,000 for the quartermaster's department, \$100,000 for the Indian department, and of \$300,000 for the pay of the army, is necessary. There is also a deficit in the appropriation for revolutionary pensions, for 1821, of 451,866, and that sum is necessary to complete the payments to pensioners for the year 1821.]

[Mr. *Smith* spoke at considerable length in support of the bill, and in explanation of it. Mr. *Tracy* thought the bill should have a correct title—it should have been "a bill to supply the deficiencies of 1821"—it was evidently of a retrospective character—70,000 dollars more than the appropriation had been expended. He wished information, precise and particular, on the subject. Mr. *Floyd* had heard a great deal about economy, but we had partial appropriations of this sort every year. Last year 300,000 dollars had been appropriated to the Indian department, and now 100,000 more asked for. He wished to know the objects of the expenditure, and how this deficiency arose. Mr. *Smith* replied in general terms—the secretary did not ask to cover a former deficit, but to meet future disbursements. The money was wanted to supply the Indians with rations, agricultural implements, &c. He had asked for 170,000 dollars last year, but only 100,000 were granted.—Mr. *Cocke* thought the house wanted information, and moved that the committee should rise.—Negatived. Mr. *Ross* spoke about a waste as to rations; that agents had profited by them—and he mentioned the extravagance that had attended treaties with the Indians. He thought the matter deserved consideration. Finally, the blank in relation to the quartermaster's department was filled up with 150,000 dollars, that for the Indian department with 100,000, and that for the pay of the army, &c. with 300,000, and that as to revolutionary pensions with 451,866—and then the committee rose.] [It appears, really, that all these are deficits; arrearages of the business of the year 1821.]

Friday, Jan. 4. Mr. *Baldwin*, from the committee of manufactures, to whom was referred so much of the president's message as relates to manufactures, and the promotion of the national industry, reported, as he stated, by instruction of a majority of that committee, the following resolve:

Resolved, That it is inexpedient at this time to legislate on the subject."

And the resolve was ordered to lie on the table.

On motion of Mr. *Butler*, it was

Resolved, That the committee of ways and means be instructed to consider the expediency of changing the duties on all kinds of paper imported from ad valorem to specific duties.

Mr. *Metcalf* submitted for consideration the following resolve, which lies on the table one day of course:

Resolved, That the president of the United States be requested to submit to the house any information which he may have of the condition of the several Indian tribes within the United States, and the progress of the measures hitherto devised and pursued for their civilization.

Mr. *Cook's* resolution, submitted yesterday, was taken up and agreed to.

The resolution moved by Mr. *Cushman* on the 20th ult. for directing the committee on revolutionary pensions to revise the pension law of March 18, 1818, or of so modifying it, "that, by lessening the quantum of bounty to individuals, its provisions may be extended to certain descriptions of revolutionary soldiers in reduced and necessitous cir-

circumstances, though not absolutely dependent on public or private charity," was, on his motion, taken up and agreed to.

The house, on motion of Mr. Smith, of Maryland, then agreed to take into consideration the unfinished business of yesterday—(the bill for making a partial appropriation for the military service of 1822, &c.)

[A lively debate followed, in which Messrs. Tracy, Randolph, Smith, of Md. Floyd, Woodson, Ross, Chambers and Lowndes, took part. As, however, the ground taken by the different gentlemen may be viewed as important, we shall give the whole sketch from the National Intelligencer.]

Mr. Tracy moved to reconsider the motion to determine the question of the appropriation for the Indian department, by ayes and noes—he having voted in the affirmative on that question.

The speaker decided the motion to be out of order, the number of 28 (voting for the prior motion) not constituting a majority within the rule.

Mr. Tracy suggested that, in the preceding congress, it had decided in a similar case, that a majority for this purpose was a majority *pro hac vice*, which authorized a reconsideration.

The speaker adhered to his decision; to which Mr. Tracy yielded.

Mr. Randolph moved to recommit the bill to a committee of the whole house, with a view to bringing into maturer discussion and review the undefined appropriations that had been asked for by the secretary of war. Unreasonable jealousy of the executive government, he observed, often led to the opposite extreme, and to a blind confidence in the governing power. From this jealousy, and that confidence, he professed himself to be equally free—and he believed that this house, also, was as free from unreasonable jealousy, as any representative body ought to be. In fact, jealousy in public life, was like that same green eyed passion in the domestic circle, which poisoned the source of all social happiness. It was extraordinary, but yet apparent, that the case had occurred in which confidence had lost its true character, and taken another which he would not name in this house. It was remarkable, as well on the other side of the Atlantic as on this, that a general suspicion had gone abroad that the department which emphatically holds the purse-strings of the nation, was more remiss than any other in guarding the expenditures of its subordinate agents; and, if it should be generally and universally understood, that the body whose duty it is to guard the public treasury from wasteful expenditure, had abandoned their trust to a blind confidence in the dispensers of the public patronage, they must immediately and justly lose all the confidence of the community. He had heard yesterday, with astonishment, a proposition to surrender inquiry to a confidence in the integrity and ability of the officer who had made the requisition. When this house should be disposed to become a mere chamber, in which to register, not presidential, but departmental decrees, it would be unimportant whether the members of this house professed to represent individually 35,000 freemen, or collectively the single borough of Old Sarum. This proceeding, he said, was to him unprecedented. He had been himself once personally acquainted with the proceedings of the committee of ways and means, and he had himself brought in many bills to make partial appropriations—no, he said, not many of them; for the business had been in those days so conducted as not to leave much room for them—but he had brought in such bills,

and supported them too, and he would again support such bills, when they were necessary. He would give to the government his confidence where confidence was necessary, and he would not give it to the government, nor to any one, further than that, unless to his bosom friend. But there was a wide difference, Mr. R. said, between voting for an advance for the service of the current year, and voting for the same sum to cover a deficiency for the past year, under cover of an advance for the present year, &c. &c. He wished this bill to be recommitted, that the appropriation might be put on its proper footing, &c. Whilst I am up, said Mr. R. I will make one more remark. That by the best estimate I am able to make—and that estimate has been fortified by what has fallen from others in the course of this debate—these Indians cost us, on the system of civilization and conciliation, rather more than if they were black, and our property, and working on our estates for benefits. And this Mr. R. suggested, without reciprocity; for though the master be bound for the whole expense of food and raiment for his servant, he is entitled to his services in return. The U. States, Mr. R. said, he thought, ought not to be expected wholly to clothe and feed these people: they ought at least to do some little for themselves. One more remark he would make: It was astonishing, he said, what a fondness the people of the frontier had for having their throats cut. A gentleman had yesterday told the house, that this money for the Indian department was to be appropriated to prevent those people from having their throats cut. But what did the representatives of the frontier people in this house say? Why, that they had rather not have the revenue applied for their relief; they deprecate your protection, said Mr. R. and endeavor to stave off your defence of them.

The question on recommitment of this bill to a committee of the whole, was then put and carried; and then

On motion of Mr. Smith, of Maryland, the house immediately resolved into a committee of the whole on said bill, Mr. Nelson in the chair.

Mr. Chambers moved to insert, after the words "for the current expenses of the Indian department," the words "including a deficit of \$70,000 of the appropriation for that object in the year 1821"—100,000.

Mr. Smith remarked that the adoption of this amendment would save the committee of ways and means a great deal of trouble. Mr. S. then recurred to the letter of the secretary of war to show that the amount asked for, however convenient it might be to cover a deficit, was not solicited for that purpose. If the house should feel that they were sufficiently informed on the subject to justify an unsolicited appropriation he did not feel inclined to oppose it—especially as he believed it would be faithfully applied, if applied at all. Mr. S. then took a general view of the situation of our Indian affairs, in relation to the several subjects of annuities, trade, civilization, &c. and shewed that the bill under consideration was not affected by them, its object being totally dissimilar and distinct. An important item in this disbursement appeared to be the rations that were furnished in making the Indian treaties, as alluded to yesterday by the gentleman from Ohio, (Mr. Ross.) The secretary of war had endeavored to control this expenditure. But his efforts had not hitherto been successful. During the administration of Mr. Jefferson those expenses had been kept within pre-

per bounds. After his retirement the expenses of the department were increased from time to time, and it now required time and effort to eradicate the evil. It was always a work of more difficulty to retrench than to disburse. But there was every reason to believe that every effort was made to reduce the expenses of this department that was consistent with the proper maintenance of the national faith. He believed there was no objection in congress, or in the departments, and certainly not in the committee of ways and means, to reduce the public expenditure so far as might be consistent with the public service.

Mr. *Floyd* hoped the motion would prevail. The time was when the very name of Indian gave him great alarm. When he came here, he hoped he should be freed from that trepidation—but it haunted him still. The disbursement proposed, was for the preservation of a contingent fund, out of which were to be paid Indian storekeepers, Indian agents, rations, and he knew not what else—but it was a reservoir for every thing that was not particularly provided for by specific appropriations. It was certainly a very convenient method of disbursement—for, unlike our diplomatic relations with France and England, whose civilization did not require these extraordinary contingent provisions, our red brethren, who roamed through the forest in quest not of their daily bread, for they had none, but of their daily meat, became the occasion of a greater draught upon the public treasury than all our diplomatic intercourse with the two most prominent governments in the eastern world. When the abracadabra of the secretary of war comes here, we are left as much at a loss after it is read at the table, as before, whether we are called upon to make an appropriation, or to supply a deficit. The last year \$170,000 were asked for this department, and only \$100,000 granted, and he hoped that such a firm course would be taken in regard to the subject; that hereafter, when a limited appropriation is made, our agents shall know that they are not at liberty to spend a dollar beyond the amount that is appropriated. If a subservient supply of deficits is granted from time to time, as the departments think proper to require, it was utterly in vain to talk of specific or limited appropriations. At all events, if they do expend more than they are authorized, it ought to be particularly shown *how* and in what manner that money was disbursed—and he believed, if such an examination were had, it would be found that many agents were employed of which congress had no idea.

Mr. *Woodson* remarked, that he was not sufficiently advanced in life to be able to retrace, by personal recollection, the various occurrences that had taken place in relation to our Indian affairs. It was, however, a matter of deep concern to the people of the west. They knew full well, and bitter experience had taught them during the last war, the relentless character of savage passion. Much had been done to remove the barbarity of the Indian character. It was matter of regret, however, that it had been ineffectual; and, if all that had been done could not soften their flinty minds, it was necessary to use some caution, at least, as to further expenditures. In being called upon to appropriate, he felt that he could not be justified, unless the disbursement was clearly authorized by an existing law. It should also be shewn to what particular purpose the expenditure was destined. He should not be satisfied without the explanation, nor without pretty clear proof that we were enabled to make it without violating our other engagements, and trenching up-

on other expenditures, that were of more imperious necessity. We had other important objects of expenditure, that would go far to exhaust our revenues. And was it the intention of gentlemen to lessen the navy? Did they intend once more to raze the army? His principal objection, however, was, that the object of the appropriation was neither explicit nor defined. It was now in contemplation to alter our system in relation to the Indian department. He hoped that purpose would prevail. He was willing to vote for 70,000 dollars to cover the past, and to extend it to 100,000 dollars if necessary. But he could not consent to a measure that should commit us to a continuance of the existing policy, which contributed neither to the honor nor to the interest of the government.

Mr. *Tracy* opposed the amendment. He thought to use a homely and familiar phrase, it was jumping out of the frying pan into the fire. He would not vote for an appropriation to supply an excess of which he knew nothing. It was already apparent, by the statement of the chairman of the committee of ways and means, this morning, that, instead of \$100,000 as the sum granted for this purpose the last year, the sum of \$130,000, had been actually applied to that department. A mistake of \$30,000 had evidently occurred. We were therefore in the dark, and before we admitted the recommendations of the secretary of war to have a binding force upon us, it would be well to have further light on this subject. One hundred thousand dollars was appropriated the last year—add to that the sum of 30,000 dollars embraced in the mistake now disclosed, and add these sums to 70,000 dollars, the alleged deficiency of the last year, and it makes an aggregate of 200,000 dollars. Mr. T. would yield all the confidence to a respectable department which its official character demanded; but he should deem it his duty to hesitate before he voted for the appropriation of moneys concerning which, even the department itself either did not possess, or did not communicate, any clear and definite knowledge. He thought the bill, as reported by the committee of ways and means, was far preferable to the amendment proposed by the gentleman from Ohio, (Mr. Chambers). In the former case, the department would be responsible for its future disbursement; but if it was applied to a previous deficit, it was covered forever from the public eye—it was expended—lost—and gone forever. He would not say that the amount asked for was not necessary; but he would say, that, in his judgment, there was not that clear and proper evidence before the house that could justify them in making the appropriation.

Mr. *Randolph*, in rising to speak again on this question, said that, from what had fallen from the gentleman from New-York, he now entertained great doubts of the propriety of going so far as the motion which he had himself submitted to the house. But he had done it on the principle that, as 132,000 dollars had last year been voted to supply the deficiency of the preceding year, and it appeared there was a deficiency of 70,000 for the last year, it was almost a matter of course to vote it, holding the head of a department, by the very slender thread of the constitutional responsibility, to account for it hereafter—for, to say the truth, he had not entertained the smallest hope, no, not the slightest idea that, after the score was once run up, there would be found firmness enough in this house to resist the claim. The fact now appeared to be, that the debt is contracted, and yet the parties concerned were not prepared to shew how it had been done, but ask-

ed, as a matter of confidence from the house, that so much should be given to clear up the old score, and 30,000 dollars to begin anew. Now Mr. R. said, with regard to confidence in the departments, he would put in the head of each of them as much confidence officially, as he would in the worthy member from New-York, or the member from Kentucky, or any other member of this house. He did not conceive there was any magic in kissing of hands, or that taking a man from this house and putting him at the head of one of the departments, gave him any more title to confidence than he possessed before. I will, said Mr. R. go a little step further. I will give to the heads of departments full as much of my confidence as they give of theirs to one another. Mr. R. went on to say, that he had never known, until he had so understood the chairman of the committee of ways and means this morning, that that committee had at the last session, felt any scruple as to the appropriations for the Indian department. With that view of the subject, he looked at the transcending the appropriations of the last year as a very serious matter. If the officers of the government set your limitations at defiance, said he, we have, indeed, an Augean stable to cleanse, &c. [Mr. R. made some other remarks on this head, the point of which escaped the reporter.] He went on to allude to the subject of the extinction of the title of the Indians to the lands within the limits of Georgia, the expenses of which, it had been suggested, were included within the expenses of the Indian department, denying that any material part of the title to those lands had yet been extinguished, &c. Mr. R. concluded his remarks by expressing his opinion that the proper course would be to appropriate 30,000 dollars in part for the expenses of the present year, leaving the decision on the appropriation for the remaining 70,000 dollars, until the dark cloud which appeared to him to rest on that requisition should be a little cleared up.

Mr. Ross entered into a general examination of the various subjects relating to the Indian department, and passed in review the various sources of expenditure that were incident to it. Among other remarks shewing the improvident measures that had been adopted in relation to the subject, he adverted particularly to the unnecessary expenses incurred by rations to the hungry Indians, and equally hungry and curious whites, who attended the making of Indian treaties, and to the implements of agriculture—the harrows and ploughs that were made in the District of Columbia and transported to the Indian settlements, beyond the western mountains. He thought the whole subject required a reform. Experience had shown that the Indian agents who had gone out poor had come back rich, and the most proper remedy that the people could apply to cure these evils, was, to withhold supplies through the medium of their representatives.

Mr. Smith explained at considerable length.

Mr. Chambers entertained too much respect both for the committee and himself to detain them long on the subject. It had appeared to him that there were 70,000 dollars in arrear for the last year, which it would be necessary to supply by some appropriation. Presuming that the debt had been fairly incurred, he was willing to assume it. He presumed no member of that committee was willing that the secretary of war should remain 70,000 dollars minus for contracts entered into in behalf of the government. He also thought that the sum of 50,000 dollars might be necessary to meet contingencies that should accrue before the renovated

system which he hoped would be adopted could go into operation. He did not wish to embarrass any branch or department of the government, but he could not feel himself justified in voting money from the public treasury, without specifying for what purpose it was to be applied.

Mr. Lowndes then addressed the committee on the question; but the general movement in the house, and the unfortunate situation of the reporter, prevented him from hearing any part of Mr. L's observations. He could only ascertain that Mr. L. supported the original motion of the chairman of the committee of ways and means, on the ground, that the anticipation was authorized, and that specific objections might be more properly urged when the general appropriation bill should be brought forward.

Mr. Randolph replied, but our reporter is disqualified from giving his observations, from not having been able to hear the remarks to which they related.

On motion of Mr. Reid who entered at some length upon the subject of making appropriations without being possessed of the grounds on which they were asked, the committee rose, reported progress, and obtained leave to sit again.

The speaker presented to the house a communication from the secretary of the treasury, containing a report from the director of the mint which was ordered to be printed and laid on the table.

The speaker also presented to the house a communication from the treasury department, relative to sick and disabled seamen; which was referred to the committee on commerce, and ordered to be printed.

Mr. Whitman moved that when this house adjourn, it adjourn to Monday next. Agreed to.

Mr. Blair laid on the table a resolution calling on the proper department for information touching the operation of the old bankrupt act, the number of cases arising under it, &c.

And the house then adjourned.

Monday Jan 7. Amongst the petitions presented this day, was one by Mr. Little, from the city of Baltimore, approving the measures pursued by the government in civilizing the Indians, deprecating the attempts recently made to arrest the course of this humane plan, and praying that congress will not suffer a plan, which has commenced with such fair prospects of success, to be ruined in the morning of its increase, &c.

Mr. Campbell, from the committee on the subject, reported the following bill:

Be it enacted, &c. That, from and after the third day of March, one thousand eight hundred and twenty-three, the house of representatives shall be composed of members elected agreeably to a ratio of the representative for every forty thousand persons in each state, computed according to the rule prescribed by the constitution of the United States; that is to say, within the state of Maine seven; within the state of New Hampshire six; within the state of Massachusetts thirteen; within the state of Rhode Island two; within the state of Connecticut six; within the state of Vermont five; within the state of New York thirty-four; within the state of New Jersey six; within the state of Pennsylvania twenty-six; within the state of Delaware one; within the state of Maryland nine; within the state of Virginia twenty-two; within the state of North Carolina thirteen; within the state of South Carolina nine; within the state of Georgia seven; within the state of Alabama two; within the state of Mississippi one; within the state of Louisiana three; within the state of Tennessee nine; within the state of Kentucky twelve; within the state of Ohio fourteen; within the state of Indiana three; within the state of Illinois one; and within the state of Missouri one.

The bill was twice read and committed.

Mr. Edwards, of Connecticut, said, that the legislature of Connecticut, at its last session, passed a resolution requesting the representatives of that state in congress, to use their influence to procure

a reduction of the public expenditures, and particularly a reduction of the compensation of members of congress, to what it formerly was. In compliance with this request, he begged leave to offer this resolution:

Resolved, That a committee be appointed to inquire into the expediency of reducing the compensation allowed to members of congress to six dollars per day, and making a proportional reduction in their compensation for travelling to and from the seat of government, and, also, reducing the compensation of all the officers of government to what it was previous to the year 1809.

The question on agreeing to this resolution was taken without debate, and the vote was as follows:

For the resolution 56

Against it 87

So the resolution was rejected.

Mr. Baldwin submitted for consideration the following resolutions:

Resolved, That it is expedient to provide by law, that, from and after the thirtieth day of June next, the same rates of duties which are, by the existing laws, now laid on goods, wares and merchandise, composed of any specified material, or of which any specified article is the material of chief value, shall be laid on all goods, wares and merchandise, whereof any such specified article shall be a component material.

That to the existing rates of duties upon goods, wares and merchandise, (glass excepted), there shall be added the amount of such bounty or bounties, as, on the exportation thereof, may be given, paid or allowed, in the place or country whence imported, produced or manufactured, or in any place or country in which any bounty or premium, in the nature thereof, may be given, paid or allowed, on the exportation of similar articles, which shall be ascertained and calculated in such manner, and under such rules and regulations, as the secretary of the treasury shall, from time to time, prescribe.

That all and singular the provisions of the forty-first section of the act, entitled "An act to provide more effectually for the collection of the duties imposed by law, on goods, wares and merchandise imported into the United States, and on the tonnage of ships and vessels, approved the fourth of August, seventeen hundred and ninety," be, and the same are hereby, revived and continued in force, as if the same was herein specially enacted, reducing the custom house credits to the times limited by the law of one thousand seven hundred and ninety.

That there shall be levied and paid upon the following articles imported into the United States, in ships or vessels of the United States, the several duties hereinafter mentioned, over and above the duties now payable by law, viz:

On iron, in bars or bolts per hundred weight, fifty cents.

On hemp, per hundred weight, one dollar.

On lead, and all manufactures thereof, per pound, two cents.

On glass, of all kinds, six cents per pound.

On all articles paying a duty of seven and a half per cent. and twenty per cent. ad valorem, and on all articles not free, and not subject to any other rate of duty, (raw silk excepted), five per centum ad valorem.

On all manufactures of silk, or of which silk is a component material, (raw silks excepted), fifteen per centum ad valorem.

On linen, and all articles of which flax is a component material, ten per centum ad valorem.

That the duties now in force upon the articles hereinafter enumerated and described, at their importation into the United States, shall cease; and that, in lieu thereof, there shall thenceforth be laid, levied and collected, upon the said articles, at their importation, the several and respective rates of duties following, that is to say:

On slates and tiles for building, not exceeding twelve inches square, two dollars per thousand; over twelve inches square, and not exceeding fifteen inches square, three dollars per thousand; over fourteen, and not exceeding sixteen inches square, four dollars per thousand; over sixteen, and not exceeding eighteen inches square, five dollars per thousand; over eighteen, and not exceeding twenty-four inches square, six dollars per thousand.

On bricks, three dollars per thousand.

On all royal, super-royal, imperial, elephant, medium, demy, crown, folio, quarto post, cap, and post paper, suitable for writing, or blank books, and all drawing and copper plate paper, twenty cents per pound.

On all paper suitable for staining and for printing, twelve cents per pound.

On all other paper, two cents per pound.

On screws of iron, commonly called wood screws, not exceeding one inch in length, eight cents per groce; over one inch, and not exceeding two inches in length, fourteen cents per groce; over two inches in length, twenty cents per groce.

On linseed oil, twenty-five cents per gallon.

Resolved, That the committee on manufactures be instructed to report a bill pursuant to the foregoing resolution.

The resolutions were referred, on motion of the author, to a committee of the whole.

Mr. Vance submitted a resolution to ascertain the persons employed in the Indian department, with the amount of their pay and emoluments, respectively.

Mr. Rich, of Vermont, rose to submit a resolution for consideration. In introducing it to the attention of the house, he made remarks to the following effect:

It will be recollected by those who were here at the last session, that I then submitted a motion, for an inquiry into the expediency of adopting a prospective prohibition upon the importation of sundry enumerated articles, which were believed to come most in competition with the products of domestic industry: That, after it had reposed some days upon the table, I gave notice that, owing to the extraordinary pressure of other indispensable business, I should not, during that session, ask for the further consideration of the subject. Assuring the house, however, that, should it be made my duty to be here at this session, and my sentiments should not, in the mean time, have undergone a material change, the proposition would certainly be renewed. Having found no cause for a change of the opinions formerly entertained upon this subject, but, on the contrary, become more confirmed in the belief of their correctness, I should have deemed it a fortunate circumstance if the late report of the committee of manufactures had been such as would have justified me in omitting to renew the proposition. But, I have learned, with regret, that a majority of that committee, to which was referred "so much of the message of the president as relates to manufactures and the promotion of national industry," have "*resolved that it is inexpedient at this time to legislate on that subject.*" I hope, however, that a majority of the house will agree to amend the resolution of the committee, by expunging the first syllable from the word "*inexpedient.*" Leaving that subject, at least for the present, I will proceed to fulfil, not exactly in form, but substantially, the engagement to which I have alluded. It will be ascertained from the resolution which I am about to offer, that, instead of a formal prospective prohibition upon imports, as was suggested at the last session, I now propose to instruct the committee of ways and means to prepare and report a bill providing for a moderate annual increase of duties, for a term of years, upon the importation of such commodities as can, with the protection common in other countries, and with a convenient application of the means of our citizens, be produced in abundance from domestic materials; and an excise upon similar domestic commodities, to commence at a convenient period, and be made progressive annually till it shall have reached an amount deemed proper for a permanent duty. That an increased supply of revenue is indispensable, appears on all hands to have been admitted; and but little doubt, I apprehend, exists that, at no distant period, the process by which it is derived must, at least, be partially changed. Hence, I have endeavored so to frame the proposition that, by giving effect to it, an immediate and future supply of revenue, for all ordinary purposes, will be rendered certain, "and in a manner to aid our manufactures." To the extent to which the proposed measures shall be carried, the prosperity of the revenue will be the effect of the prosperity of manufacturing industry, directly the reverse of which is known to result from the present system.

It has been very justly said by the president, that "it cannot be doubted that the more complete our internal resources, and the less dependent we are on foreign powers, for every national as well as domestic purpose, the greater and more stable will be the increase of public felicity. By an increase of domestic manufactures, will the demand for the

rude materials at home be increased; and thus will the dependence of the several points of the union on each other, and the strength of the union itself, be proportionably augmented." And again: "If domestic manufactures shall be raised by duties on the foreign, the fund necessary for public purposes should be supplied by duties on the latter." And, although he has said that "this process," which is admitted to be "very desirable, inevitable under existing duties," he has no where, to my understanding, intimated a belief that any inconvenience would be felt, should measures be immediately adopted to accelerate the process. But, on the contrary, he says, "It is thought that the revenue may receive an augmentation from existing sources, and in a manner to aid our manufactures." An unqualified belief is expressed in another part of the message, that such is the skill of the citizens "in the mechanic arts, and in every improvement calculated to lessen the demand for, and the price of, labor," and such the facilities presented by the "vast amount of raw materials," "and aliment of every kind," always attainable on easy terms; "that, under the protection given by existing laws, we shall become, at no distant period, a manufacturing country, on an extensive scale. And in the parts from which I first quoted, it is admitted, in the most explicit terms, that highly important *national* advantages would be derived from an increase of manufactures; that the revenue may receive an immediate augmentation in a manner to aid them, and that any deficiency resulting eventually from such aid, should be supplied by duties on the domestic fabrics. These, sir, are the great points at which I aim by the resolution which I hold in my hand, and I shall esteem it fortunate for the country, if we shall be able to reach them, through a process which will relieve us from the inconvenience of a sudden change, or a necessity for further loans.

The language employed on this subject by the secretary of the treasury, is equally explicit with that quoted from the message. He says, "A correction of existing duties, with a view to an increase of the public revenue, could hardly fail to effect that object, to the extent of nearly one million of dollars annually. It is highly probable, however, that an increase of duties on some of those articles might eventually cause a reduction in the revenue; but this could only take place where similar articles are manufactured in the country. In that event, manufactures will have been fostered, and the general ability of the community to contribute to the public exigencies, will have been proportionably increased." Yes, sir, "the general ability of the community" increased in the same proportion that domestic manufactures are fostered.

And where permit me to ask, can language be found which is more decisive? And if, in any manner just, whence the *alarm* lest the act of fostering manufactures should operate as "a tax upon the many, for the benefit of the few." Sir, if we shall believe, as I religiously do, that the sentiments which I have quoted from the president and secretary are correct, is it not our duty, and one of an imposing character, to employ our best efforts to accelerate "this process," which, in the language of the president, "is very desirable;" and, in that of the secretary, will "increase the general ability of the community?" Or, is it indeed true, that, because this desirable process is believed to be "inevitable, under existing duties," it is, therefore sufficient for us, that we "leave things to themselves," and look, with cold indifference, on the

sufferings of the country, while a process of a very different character shall withdraw from it the whole of its transferable means, even to the last dollar of its metallic currency and public stocks, to pay the wages, house rents, subsistence, tythes, poor rates, and other taxes of foreign laborers, and for the use of their capital and machinery, and even the streams of water, by which the vast revolutions of the latter are performed. I am not unaware that an opinion is indicated in the message, though rather remotely, that the period cannot be very distant when our manufactures will have reached such a state of maturity, that, with no other protection than that afforded by existing laws, a revenue may be derived from that source. But, sir, I must be permitted to inquire, whether any prudent citizen would, till every other source of employment had been extinguished, invest his capital in manufacturing establishments, or seek to acquire a knowledge in their details, with no better prospects for the future, than that the moment the foreign manufacturer shall have retired from the market, the government will *invite* his return by imposing a tax upon the domestic fabrics?—When the measures of the government shall have been such as will afford a reasonable assurance that domestic industry shall not be *paralysed* by a return of the foreign competitor once withdrawn; such as will invite the capitalist and skilful artisan to employ their unengaged means in manufacturing; then, and not *till* then, will there be a wholesome domestic competition in the market, and not *till* then can that source be made productive of revenue.

Sir, while I consider the increasing demand for exchange, already so high as to urge the exportation of our metallic currency and public stocks, and the almost total absence of any foreign demand for the products of our extensive grain districts; none even in *prospect*, except in the *possible* contingency of a foreign war, or the failure of a foreign crop, a conviction is irresistibly forced upon me that the period cannot be distant when the public credit must be *sacrificed*, or a resort had to direct taxes to a large amount; and that, too, when the *means* of payment shall have been greatly exhausted: unless, in the mean time, we shall have adopted such measures as will enable the government to derive a revenue from the consumption of domestic instead of foreign articles—for the people, particularly of the north, the east, and the west, cannot, and will not, afford an adequate supply to the public coffers, through a process, which, for every dollar that shall reach the treasury, will take *four* from the country, in the choicest fruits of its industry, to bestow on foreign laborers, who refuse to receive from us, in exchange for *their* products, even the *bread* they eat, while engaged in their fabrication.

I wish not to be understood as objecting to direct taxation, provided it be made the part of a system, the operation of which shall tend to promote the industry of the country, and equalize the public burdens. My objections are, against adhering to a policy, while the reasons which might have rendered its adoption proper have ceased to operate: a policy, too, which, in my best judgment, will create a necessity for direct taxes, by the same process that will deprive us of the means of payment. It has already been remarked, that, to effect the objects I have in view, I propose a small annual increase of duties for a term of years, upon sundry articles, the product of foreign labor; and an excise upon similar domestic articles—the excise to commence at a convenient period, and be

made progressively annually, till it shall have reached an amount deemed proper for a permanent duty.

In the hope that the objects of the resolution will be the better understood by the house, I will suppose, for example, that the proposed measures are to be applied to a given article. Upon the importation of that article, I would charge an immediate additional duty, say one eighth of the *increased* amount to which I intended it should eventually reach; and would add one eighth for each of the succeeding seven years. For a term, say three years, the increased duty would prevent a reduction of the gross amount of revenue from the article; but, in the belief that the increase of the domestic article would subsequently reduce the receipts from the foreign, I would provide for that reduction by an excise on the former, to commence with the fourth year, and at one fourth the amount intended for a permanent duty; and, for each of the succeeding three years, would add another fourth. By this process, the duty, both on the foreign and domestic article, will reach their maximum at the end of seven years; while the pressure created by the excise upon the domestic article will be so graduated, that its influence upon the price to the consumer will be overbalanced by the increasing domestic competition; and the duties will be gradually raised on imports, that no inducements will be presented for large importations with a view to a monopoly.

But, unless it shall be determined to raise the duties on imports to an amount which will nearly exclude the foreign article, notwithstanding the excise on the domestic, the ratio of increase upon the excise should be diminished, and the period extended for reaching its maximum. If, sir, I shall have made myself understood by the example adduced, it will have been perceived that I aim at a process by which the revenue shall gradually be made derivable from the domestic article, instead of the foreign, and in a manner that will secure a constant supply, and be convenient both for the government and the citizens. Should the general features of the plan be approved, it will remain with congress to determine whether seven, or a greater or less number of years, shall be taken to complete the operation. In my judgment, however, the more limited the term, the greater will be the benefit to the country; provided it shall be sufficiently extended to bring into the market, without any forced operation, a fair domestic competition; for which, it is highly probable, a more distant period would be required for some articles, than would be necessary for others. And I feel no hesitation in pronouncing an opinion, that, as it is intended to embrace such articles only as can be produced to any extent from domestic materials, (otherwise of little or no comparative value), and will hence reach the consumer at reduced prices, the impost duty should be so raised as nearly to exclude the foreign article; for, otherwise, all our hopes for the real prosperity of manufactures, or that a productive revenue can thence be derived, will, most assuredly, prove fallacious.

It certainly ought not to be expected, that those who believe the success of manufactures essential, nay, indispensable, to that of the other branches of industry, will ever assent to an excise, under such circumstances as will, in their judgment, invite the foreign competitor into the market. Nor should the belief for a moment be entertained, that another loan to meet the ordinary expenses of government, will at any time be authorized, unless certain means are provided for its redemption, and

to supply any subsequent deficiencies in the revenue. And I take this occasion to say, once for all, that, so far as may depend upon myself, and except upon the conditions just stated, another loan will never be obtained, be the consequences what they may.

Many, who are otherwise favorable to an increase of manufactures, have been somewhat alarmed, lest a diminution of imports should create a necessity for direct taxes. Such have believed, (and hence their fears), that domestic articles could not bear a productive tax, till the foreign were nearly excluded from the market; and have very naturally supposed that, while the measures were in progress which would eventually exclude them, no alternative would be presented, but to supply an increasing deficiency in the revenue, either by loans or direct taxes. Should it be found convenient to overcome this objection, in the manner proposed, much will have been done for the accomplishment of the objects I have in view; but, if otherwise, the proposition will, I admit, have lost a share of its claims upon the favor of the house. Individually, as I have before marked, I feel no objection, to a well-adjusted system of revenue, of which direct taxes shall be made a part; but the citizens have been so long accustomed to indirect taxation, that some time must yet elapse, before (if ever) they will, in that particular, be reconciled to a change. And, to me, it would seem to be indispensable, that, before a direct tax shall be spread over the country, measures shall have been adopted to "increase the general ability of the community to contribute to the public exigencies," measures that will have retained *within* the country *something* of the means of payment.

If, upon due consideration, the plan which I have proposed shall be deemed practicable, and worthy of adoption by congress, all the measures necessary to give to it full effect can, as they ought to, be made so far prospective as to be free from the multiplied inconveniences which must ever result from a sudden change. All the great interests of the country will then have been duly notified; and thus, whilst an important change in its policy will have been almost imperceptibly effected, they will, as imperceptibly, have accommodated themselves to the change. The foreign fabrics will have retired silently from the market, and, in the same manner, will the domestic have supplied their place. The means of the country, now sinking through the most unfavorable operations of exchange, the introduction of foreign goods, to the prejudice of home industry, will have found other employments, free from perplexing uncertainties, such as will augment the resources of the country by invigorating its industry. A constant exchange of products between those differently employed will have been effected to the mutual advantage of each. And then the period will have been reached, when, in truth, it can be said, that, "by an increase of domestic manufactures," "the demand for rude materials at home" has been "increased," and that "the strength of the union itself" has been "augmented" by an augmentation of "the dependence of the several parts on each other." Then will the "increased" "ability of the community to contribute to the public exigencies" have been fully demonstrated, and the public revenue, having been made derivable from the consumption of domestic instead of foreign fabrics, will continue steady and productive, whether in peace or war; and particularly so, from having ceased its dependence on the ability of the citizens to consume the products of foreign labor,

which neither adds to the wealth of the country, nor contributes to its defence; an ability, too, which depends more upon the crimes, the follies and misfortunes, of other countries, and even upon the state of the weather in some, than upon the sagacity, skill and enterprize of the American citizens. And, finally, then will the supplies, at all times indispensable, be placed beyond the reach of foreign influence, or the contingencies incident to a precarious foreign commerce; and, thus circumstanced, will be sure to reach the consumer at the lowest possible price.

Sir, satisfied as I am, that I should not only exhaust the patience of the house, but transgress its rules, were I, at this stage of the proceeding, to do more than present the general views which I have of the subject; I will only remark in conclusion, that, individually, I should prefer that, as was suggested at the last session, the proposed measures be accompanied with an ultimate, formal prohibition upon imports; principally on account of the increased facilities for preventing an illicit trade; as, in the latter case, the simple fact of prohibited goods having been found in the country, would incur a forfeiture; whereas, in the other, such as shall have passed the custom house must be taken to have been lawfully imported and the duties paid, until the contrary be shewn. It is, therefore, more from the respect which I feel for the opinion of others, than in accordance with my own judgment as to what is abstractly best, that, in this particular, I now submit the proposition in a modified form.

If it shall eventually be found that a majority will object to the proposed measures, but will, nevertheless, in a form which to them will be more acceptable, adopt such as will secure a present and future supply of revenue, and in a manner that will aid the industry of the country, I assure that majority, when ascertained, of my zealous co-operation. With this assurance, and with the best of feelings for those who may differ from me in opinion, having no other desire than a faithful discharge of public duties. I will abstain from occupying more of your time, and send the resolution to the chair; but not with a wish that it should be considered till some future day, of which due notice shall be given.

Mr. Rich then moved the following resolution:

Resolved, That the committee of ways and means be instructed to prepare and report a bill, providing for a moderate annual increase of duties for a term of years, upon the importation of such commodities, as can, with the protection common in other countries, and a convenient application of the means of the citizens of the United States, be produced in abundance from domestic materials; and for a moderate excise upon similar domestic commodities; to commence at a convenient period, and be made annually progressive, till it shall have reached an amount, deemed proper for a permanent excise duty.

The resolution was ordered to lie on the table.

On motion of Mr. Smith, of Md. the house then resolved itself into a committee of the whole on the bill for making partial appropriations for the military service of the year 1822, and to supply the deficiencies of the appropriations for revolutionary pensioners for the year 1821—Mr. H. Nelson in the chair.

[This subject occupied the house the remainder of the sitting. Mr. Jones, of Tenn. Mr. Farrelly, Hill, Mallory and Mc Duffie spoke upon it; and brief sketches of their speeches occupy four columns of the *Intelligencer*. We have, perhaps, inserted enough of the debate to shew its points to our readers.]

The committee rose, on the motion of Mr. Smyth, and had leave to sit again.

Tuesday, Jan. 8. After the disposal of some minor matters—

On motion of Mr. Blair, the house agreed to take into consideration a resolution heretofore offered by him, calling upon the president of the United States for information relative to the operation of the bankrupt law of 1800, in the states of Virginia, Maryland, Pennsylvania, and New York.

After some remarks from Messrs. Blair, Cocke, Whitman, Colden, Lowndes, Sergeant and others, the motion was agreed to—77 to 71.

On motion of Mr. Cocke, the house then agreed to consider the resolution by him submitted yesterday, calling for information respecting the expenses of the ordnance department. This resolution was adopted.

Mr. Metcalfe called for the consideration of the resolution he had heretofore proposed, calling for information relative to the efforts that had been made to civilize and Christianize the Indians. The house agreed to consider the same. Which, after a verbal emendation, was adopted.

Mr. Cook laid the following resolution on the table:

Resolved, That the secretary of the treasury be directed to lay before this house a statement showing in what banks the moneys received from the sale of the public lands have been deposited, since the 1st of January, 1818; the contracts under which said deposits have been made; the correspondence between them and the treasury department relative thereto; the amount of deposits that were to be left in each, in consideration of taking charge of the balance of the money deposited; whether, in any instance, the deposits allowed for that purpose have been increased, and why such increase was allowed; together with copies of the statements of their situation, furnished to said department for the last twelve months preceding such increase, as well as to the time of first making them banks of deposit; whether any of those banks have failed to comply with their engagements, and to what amount; what measures have been taken in consequence thereof to secure the government against any losses resulting from such failure; what those measures have been, and at what expense; whether, in any instance, uncurrent or depreciated paper has been received from them, or any of them, which the government was not bound to receive by any agreement between such banks and the said secretary; and whether any further measures are necessary to be adopted by congress, to provide for the transmission of the public money from the different receivers to a more safe place of deposit, and, if so, what plan is most advisable.

On motion of Mr. Smith, of Md. the house then resolved itself into a committee of the whole on the unfinished business of yesterday, (the bill making partial appropriations for the military service of the year 1822, &c.) Mr. H. Nelson in the chair.

After a speech of considerable length from Mr. Smyth, the committee rose, (on the motion of Mr. Dwight), and had leave to sit again. And the house adjourned.

Wednesday, Jan. 9. After some minor matters were disposed of, Mr. Cook called up the motion submitted by him yesterday, for information as to the unavailable funds in the treasury—which caused a warm debate of considerable length. Finally, the resolution, as first submitted, was agreed to.

On motion of Mr. Nelson, of Md. the report of the committee on manufactures, against the expediency of laying further impost duties for the encouragement of manufactures, was taken up and referred to the same committee to whom was referred Mr. Baldwin's resolutions proposing certain modifications of the duties on imports, &c.

Certain resolutions were offered, which shall be noticed in their progress, as necessary.

A message was received from the president, in obedience to a resolution of the two houses, to determine the longitude of the capitol from Greenwich or some other well known meridian in Europe.

A letter from the secretary of the navy, enclosing sundry papers relating to the navy pension fund, was received.

The house then again resolved itself into a committee of the whole, Mr. Nelson, of Va. in the chair, on the bill making partial appropriations for the support of the military establishment for 1822.

The appropriations for the Indian department being yet the subject—

The debate was continued by Messrs. Dwight, Mitchell, Buchanan and Smith, of Md.

The question was not taken, when, on motion of Mr. Gilmer, the committee rose and obtained leave to sit again; and

The house adjourned.

Thursday, Jan. 10. On motion of Mr. Leftwich, it was

Resolved, That the report of the select committee appointed to enquire respecting certain loans of lead and gunpowder, by the ordnance department, to certain individuals, made to this house on the 7th of February, 1821, be referred to the committee on military affairs.

Mr. Wood, of New York, submitted the following, which lies one day on the table, by the rules of the house—

Resolved, That the committee on the public lands be instructed to inquire whether any, and if any, what alterations are necessary in the laws relating to the survey and sale of the public lands;—whether any, and, if any, what provision is necessary relative to the monies receivable in payment for the public lands;—the places of deposit, or the United States;—and also to examine whether any, and if any, what losses have occurred in the revenue arising from the sale of the public lands;—by what offices the same have been sustained;—and also what further measures are necessary to secure the same.

Mr. Woodson submitted the following joint resolution for consideration:

Resolved, by the senate and house of representatives of the United States of America in congress assembled, two-thirds of both houses concurring, That the following amendment to the constitution of the United States be proposed to the legislatures of the several states, which, when ratified by the legislatures of three-fourths of the states, shall be valid, to all intents and purposes, as a part of said constitution:—No person shall be eligible to the office of president of the United States, from and after the fourth day of March, 1826, who shall or may have held, or exercised, any other office of honor, profit or trust, under the government of the United States, or any of its departments, at any time within the four years next preceding his election, nor unless he shall have attained to the age of forty-five years.

This resolve was ordered to lie one day on the table.

On motion of Mr. Smith, of Maryland, the house went into committee of the whole, Mr. Hugh Nelson in the chair, on the bill making a partial appropriation for 1822; the question on filling the blank for the support of the Indian department with 100,000, was before the committee.

Mr. Randolph took the floor against the item of appropriation, proposed by the chairman of the committee of ways and means.

Mr. Baldwin and Mr. Todd followed Mr. Randolph in favor of the largest appropriation.

Mr. T. spoke briefly in reply to Mr. Randolph.

On motion of Mr. Stevenson the committee rose, reported progress, and obtained leave to sit again.

Adjourned, at half past four o'clock.

CHRONICLE.

By an arrival at New-York we have received the following intelligence:

The second expedition of general La Torre, consisting of the Hercules brig of war, and 10 other vessels, with between 5 and 600 men on board, had made a landing at Los Sagus, in the gulf of Maracaybo. A curious sight must have presented itself on the landing of the troops; every soldier having, in addition to his baggage, a pig, a turkey, or some other description of live stock, slung over his shoulder.

A felucca belonging to La Torre's expedition having a great quantity of arms and ammunition on board for the use of the troops, ran ashore at Cumarcho, and was taken possession of by the independents.

Bolivar is reported to be in Maracaybo with 6,000 men, and was about to proceed with his force for the reduction of Puerto Cabello.

By this arrival we have received the important intelligence of the independence of Spanish St. Domingo, being a confirmation of what we published a few days ago. It appears that the whole of the Spanish part of the Island of Saint Domingo had declared its independence of Spain on the 1st of December by the unanimous voice of the people, not a drop of blood having been spilt, nor any excess committed on the occasion.

Extract of a letter, dated Havana, Dec. 14, 1821.

"The cruisers are again plundering the vessels of the United States, as soon as the latter leave the coast; and there are now three out from Regla, full manned, who board every vessel they fall in with, and have this week ransacked several, and maltreated the crews. We do not know where the vessels are which were sent out here for our protection, as none of them have appeared for many days, nor entered the port.

"The cabildo of Guatamala has invited the cabildo of this city to follow their example and become independent; to which the latter have given an angry reply, and have published the letter and answer. The captain general has added an address to the loyal and constitutional people of Havana and the island.

NOTE. The editor having been in Washington during all the present week, and much occupied also with the business of the establishment, in general, has not been able to give his usual attention to this making-up of the number; its contents, however, are not, perhaps, the less interesting on that account.

A considerable space is allowed to the proceedings of congress—the bill reported by the committee of ways and means, making partial appropriations for the Indian department, &c. as for the year 1822, has excited an ardent and interesting debate, on account of the principle involved—for it seems that, of \$100,000 now asked for, 70,000 were actually expended last year beyond the amount appropriated for the service of the year in that department. Some contend, that when congress appropriates a specific sum of money to a particular object, they mean to say that no more than that amount shall be expended on it—but others shew that, in this peculiar instance, it was not within the power of the secretary of war to make an immediate retrenchment, &c. It is probable that we shall revert to this subject hereafter. Without reference to this especial case, we are glad to observe the prevalence of a disposition to bring about a greater degree of attention to specific appropriations.

There is, we believe, more talents in the present congress than there was in the last. The people have lost the service of some valuable men, but gained those of others—and it appears to us, also, the affairs of the nation might be sedulously attended to, if there was not so much talk and so much feeling as to who shall be the next president! about which we shall soon speak more at large.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 21—Vol. IX.] BALTIMORE, JAN. 19, 1822. [No. 21—Vol. XXI. WHOLE No. 541

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

APOLOGETICAL. For the first time within his recollection, even for one hour, the editor has been confined to his bed by the order of a physician—so that a considerable part of the time of this week has been lost to the business of the establishment, which affords an undeniable excuse for the omission of many things, particularly as to correspondence, that otherwise would have been attended to. He has, however, gratefully to state, that he is again at his post, and hopes soon to bring up *læc-way*.

NEXT PRESIDENT! On arriving at Washington, on the 4th inst. I was much astonished to find so great a buzz about the person who should succeed Mr. Monroe, as president of the United States; especially when it occurred to my recollection, that he delivered his inaugural speech only in March last—and it seemed really to be feared that the whole legislation of the country, for the entire term of the present congress, at least, would hinge upon the question, how it might affect the election of a favorite candidate, or injure the popularity of his several rivals; for some appeared to act as if the appointment was vested in their own honorable selves—at which I laughed, thinking it likely that the people would have something to say about the matter! However, I soon found out that a large majority of the members of congress severely reprobated the premature and preposterous proceedings of a few; and that the whole noise was to be traced to an inconsiderable number of persons, who had not thought of the effects which their conduct might produce on the affairs of the nation, committed to their charge; by which the halls of congress might be converted into places for the simple meetings of caucuses. The *president-making-fever* evidently subsided before I left the city, and there was room to hope that the people's business would be attended to. We shall recur to this subject again, and present our readers with the names, &c. of those that are held up as candidates.

BANKRUPT LAW. We think that a majority of the members of both houses of congress are favorable to the passage of a bankrupt law, in the abstract—but a great diversity of opinion exists as to the details, and the passage of a bill at this session was considered as doubtful, on that account: but the late call for information on the operation of the old law of 1820, we should rather suppose, will exceedingly delay, if not cause the postponement of the bill until the next session. If the information asked for is attainable, much time must be spent in getting it; and the labor of making out the statements required, we are told, will be very great: and, as no provision is made for compensating the clerks of the courts in the several judicial districts, it is apprehended that, if they do not disregard, they will not be in a hurry to comply with the requisition made upon them by the department of state, to which they are not more than remotely responsible, if responsible at all; and no one will give up months of his time to the severe application which the nature of the case requires, without a just compensation, if he can avoid it.

VOL. XXI.—21.

THE FINANCES. We now conclude the able remarks of our correspondent on "national affairs," &c. The numbers published in the present sheet have a strong conformity with the facts set forth by ourselves in the REGISTER of the 22nd ult. but, as before observed, in page 293, his article was written before our's appeared, and there had not been any communication of ideas on the subject between us.

We shall now take leave of the treasury reports for a while, but indulge in some free remarks on the late "extraordinary" report of the committee of ways and means of the house of representatives, as promised in our paper of the 5th inst. and investigate it fully. We do not mean to charge the venerable chairman of that committee, or the committee itself, with a want of candor or of a design to deceive the people, for we cannot believe him or them capable of these things: but the revenue is just now "touch and go," as the phrase is at Washington, and many well informed persons there anticipate a deficit in the present year of not less than two millions, unless some great retrenchments, which can be promptly brought into action, are effected—besides, if we recollect rightly, there are 2,000,000 borrowed of the bank of the United States, at 6 per cent. interest, which loan is redeemable at the will of the government. It is possible that this amount may be required of the treasury by the commissioners of the sinking fund, in obedience to the act and their solemn obligation to observe its provisions—for the act to establish the sinking fund remains unimpaired on the statute book, though the surplusses of the fund have been so strangely diverted from their legitimate purposes, in a time of peace—and it appears to us, that the commissioners raised under it are bound to demand, and the secretary of the treasury compelled to furnish, the money to pay off the two million loan above alluded to—and, if so, where shall we be? But this difficulty may be easily relieved, if the report of the committee of ways and means can be relied on—they have re-established the sinking fund at 10 millions, in 1825, by their own *ipse dixit*, seeming to have forgotten that about the sum of five millions of dollars* more than the present revenue over the present expenditure, must be provided to bring about such a re-establishment. The ways of redeeming the public debt are readily understood, but we cannot imagine where the means are to come from. The best devised calculations will not increase the revenue one cent in fifty years; its increase can only be brought about by the positive payment of taxes. We shall soon enter upon a detailed examination of this report, with a simple and only view to render its facts intelligible to our readers, for we are not opposed to any man or body of men—we care not *who* is at the head or at the tail of the governing power—"it is all as one to us;" but we desire a restoration of the former plainness and perspicuity that belonged to such things, and the building up of a dependence on ourselves for the supply of our own wants—without which a dignified or profitable legislation

*In money—not by statement or estimate: but money actually paid into the treasury.

cannot be hoped for. We may be mistaken in our views—if so, we wish instruction, and will thankfully receive it from any one capable of giving it, always standing prepared frankly to acknowledge error when convinced that error exists.

FOREIGN NEWS. We have no late intelligence from Europe, except some little scraps of news from Spain and Italy. The former country seems to be considerably agitated; riotous proceedings are frequent, but the general supremacy of the constitution and laws of the cortes prevails. "Religion forever!—down with freemasons the constitution and the liberals!" is the cry of the assassins and vagabonds of the land; but there is no present prospect of their becoming formidable to the national institutions. The new tariff is published—it is to be general for all the countries composing the monarchy; goods imported in foreign ships are to pay one fourth more duty than if in Spanish vessels.

The persons sent from Portugal to Pernambuco, sometime since, as rebels or traitors, have been liberated; no proofs being offered against them, the law presumed them innocent. So much for the revolution. The cortes are preparing a law for the gradual reform of the church. In page 329, we have shown how they have reformed the 'holy inquisition.'

Riego is the favorite of the liberals of Spain—his portrait is frequently carried about in triumphant processions. The authorities of Malaga have demanded of the king of Spain an immediate dismissal of his ministers; and forwarn his majesty, in conclusion, that if their prayers be not granted, the attachment of the Spaniards to his person will be greatly weakened.

The yellow fever had not ceased at Barcelona, &c. on the 1st November. At the place named, the burials were still from one to two hundred per day!

The standards and colors of the different corps composing the Spanish land forces, and marines, are to be laid aside, and brass lions, 8 inches long, of a proportionate height, holding the book of constitution, and fixed on staffs, 8 Burgos feet high, and one inch and four lines in diameter, are to be adopted in their stead.

In Naples, the greatest anarchy and apprehension prevails—the country has become a general theatre of depredation; and the banditti are so numerous, and overspread the country, that the Austrian troops actually live as in the midst of an enemy's country, surrounded by the pickets of an untiring and harassing enemy. The Austrians, with a view to justify the presence of their troops, describe all the functionaries of the government as Carbonari, and they produce the effect which they feigned. There are 14,000 Austrians retained in Piedmont. The accusations and executions of Carbonari continue in Lombardy.

The island of Cuba is in a strange condition: some even suspect that persons high in authority, are concerned in the profits made by the pirates which infest its shores and harbor securely on them! These wretches are becoming more and more powerful and rapacious—almost every mail brings us an account of some fresh outrage committed. The subject has excited attention in congress, and some means must be adopted, if possible, to bring the local authorities of the island to act against these nests of villains—without this, we fear that nothing effectual can be done to break them up.

The news of a complete revolution in what was the Spanish part of the island of St. Domingo, or Hayti, is amply confirmed. We know nothing of the present population or resources of the country,

but under the new government, shall soon become acquainted with them. It is understood that the people have resolved to join themselves to and become part of the republic of Colombia; or, at least, to form an intimate alliance therewith. The declaration of independence has been received, and to it are attached many liberal provisions—even to the consideration of all free persons as citizens, who have resided in the country three years, whatever be their religion or color, &c.

We have a decree of San Martin, dated at Lima, August 3, 1821, establishing a provisional government for Peru. His views appear to be liberal; yet having seen, as he says, the difficulties that attend the calling of congresses, while there are enemies to combat, he establishes the supreme power, political and military, in his own person, under the title of *Protector*. He also appoints a ministry for foreign relations, for war and the navy, and of finance. "This decree shall only continue in force and vigor until a meeting of the representatives of the Peruvian nation takes place, who will then determine on the form and mode of a government."

FREE REMARKS ON OUR NATIONAL AFFAIRS, ARISING FROM THE PERUSAL OF THE PRESIDENT'S LATE MESSAGE, AND THE "ANNUAL TREASURY REPORT" TO CONGRESS.

NO. IV.

In the close of our last we proposed to "devote another number of these essays to show the probable effect which the adoption of the new tariff, or something like it, would have upon our national affairs." This task is undertaken from pure good will to the existing executive government, believing, from the symptoms commented upon, that it sees the necessity of changing its policy. It is true, the president draws a flattering picture of the state of the treasury, and says, that "there are just grounds to believe that the improvement which has occurred in the revenue will progressively increase, so as to realize the results which were presented by the official reports of the treasury at the commencement of last session of congress." But we find, as already observed, that the secretary of the treasury, who has to make the necessary calculations, sees cause to come to a very different conclusion. So much so that, in the item of national income, from the existing duties, he thinks the "results presented at the commencement of the last session of congress will not be realized by \$4,890,000. The "results" presented at the commencement of last session of congress being \$31,500,000, and the "results" presented at the present, being only \$16,110,000, (see the estimates respectively); and Mr. Crawford, like a shrewd sensible man as he is, tho' he wishes to put the best face upon the affair, proposes the measure already commented upon, to cover the deficiency which he sees will otherwise be inevitable. In order to encourage this "good feeling" we shall be at a little pains to examine into the treasury calculations for some years past, and the result, if we are not greatly mistaken, will show that the folks who manage it have been indulging in idle speculations, or visionary theories; and have been dreaming, year after year, of splendid returns from imports, without ever allowing themselves to be disturbed by the realities that were palpable to every well experienced mind in the nation. Some of these will be noticed hereafter. In the mean time we proceed to give a few extracts from the treasury reports to show that we are not charging the gentlemen wanton ly nor lightly:—

In looking into the treasury reports for the purpose of making these extracts, the first that stared us in the face was that of secretary Dallas, (see Niles Register, vol. 9, page 261), which, of its own composition, resists all attempts to analyze it, or to understand it. Its obscurity is so palpable, that a friend of ours, after having in vain attempted to analyze it, threw it aside in despair, annexing to his calculations the following note: "Altogether this is a most singular report, and seems to have been intended to puzzle the imagination preparatory to the agitation of the question as to that *sinful institution*, the bank of the United States."

The first report of the present secretary, was presented to congress on the 20th Dec. 1816, and has the merit of being clear and explicit, as most of his subsequent reports have been; but it will be surely seen, from the following investigation, that he has had no adequate view of the affairs of this nation upon the great scale. His rays of financial vision have penetrated no further than the atmosphere of the treasury; and the golden dreams induced by the overflowing state of it when he took the helm, have continued up to the present moment. It must be allowed that the possession of eighteen millions and five hundred thousand dollars, the balance stated to be in the treasury by the first report, was calculated to lull a weak, inexperienced mind asleep; but Mr. Crawford, who is an experienced man, and has a comprehensive mind, might have seen that the circumstances which had filled the treasury, would exhaust the country; and that they were new and extraordinary, and would never occur again. He might have known that the situation of the United was *relative*, and that there was no probability that we could, with the present duties, receive a revenue on imports equal to from one third to one half of our exports. Mr. Crawford may now see, (the treasury speculations of the last summer, in the National Intelligencer, to the contrary notwithstanding), that *our imports must finally be limited by our exports*, and even less—for we must pay the interest of what we are owing abroad out of the latter; and if Mr. Crawford does not now make his calculations on that basis, he shall see where he will be by the year 1825. It will not be on a bed of roses.

We shall first exhibit a statement of the annual estimates of revenue, contrasted with the results, and then quote some extracts from Mr. Crawford's observations:

	Estimate.	Result.
For 1817	30,650,000	24,365,000
1818	24,525,000	26,095,000
1819	24,220,000	21,436,000
1820	22,000,000	15,285,000
1821	16,550,000	14,812,000

Totals \$117,945,000 \$101,993,000

Making an aggregate deficiency of \$15,952,000.

This deficiency has wholly arisen from the duties upon imports, as will appear by the following contrast:—

DUTIES.		
	Estimate.	Result.
For 1817	24,000,000	17,515,000
1818	20,000,000	21,828,000
1819	21,000,000	17,117,000
1820	19,000,000	12,450,000
1821	14,000,000	13,068,000

Totals \$98,000,000 \$81,978,000

Making a difference of 16,022,000.

It is worthy of remark here, that in forming the estimate for the year 1818, which fixed the customs at 20,000,000 of dollars, and the total amount at \$24,525,000, the secretary laid it down as an axiom that the *permanent* annual revenue would equal that amount.

Taking the import duties at an average of 22 per cent. this would have required an annual importation for home consumption of nearly 91,000,000 of dollars. With the knowledge that our exports of domestic produce were only from 50 to 60,000,000, is there another man in the country, *who thinks on the subject*, that could have formed such an estimate?

Now for the extracts—

Finding an overflowing treasury under his management, the secretary seems to have entertained at the outset very just views, as will appear by the following extract from the treasury report, dated 20th Dec. 1816, (see Weekly Register, vol. XI. page 301.)

"An attentive examination of the rise and progress of public debts in other countries, cannot fail to impress the American republic with the necessity of making suitable exertions in periods of peace, to release the national revenue from so heavy an incumbrance."

"By referring to the laws authorizing the several loans, which, during the late war, have swelled the public debt to its present amount, congress has uniformly pledged the faith of the nation to provide sufficient funds for the payment of the interest, and the redemption of the principal of the debt so created. The time has now arrived when that pledge ought to be redeemed." He then proposed to add \$2,000,000 to the sinking fund, and, under certain circumstances \$1,000,000 more, and then adds—"By the operation of the sinking fund, thus enlarged, the whole funded debt will be extinguished *within the term of fourteen years.*"

It will be recollected that this communication was made to congress five years ago.

In the treasury report of December 5, 1817, Mr. Crawford expressed himself as follows:

"After the redemption of the Louisiana stock, there is no part of the public debt redeemable at the will of the government, until the 1st day of January, 1825, *except the five per cent. subscribed to the bank of the United States*, (the amount of it is \$7,000,000); as the commissioners of the sinking fund are not authorized to redeem the five per cent. stock, the permanent annual appropriation of \$10,000,000, from the year 1819 to 1825, under the existing laws, can only be applied to the payment of the interest of the public debt, and to the gradual reimbursement of the principal of the six per cent. deferred stock; and *will leave, during that period, an annual surplus of nearly \$5,000,000.*"

"During the year 1825, the exchanged six per cent. stock, the six per cent. of 1812, and the stock created by funding treasury notes, amounting together to \$18,895,000, will be redeemable. To the redemption of the whole of this stock within that year, the sinking fund, by the aid of its surpluses, will not only be entirely adequate, but will be amply sufficient to redeem the remainder of the public debt, at the several periods at which the different stocks of which it is composed, become redeemable. The whole debt, including the five per cent. stock, will be extinguished during the year 1830, except the three per cent. stock, which is not redeemable at the will of the government.

"It is believed to be unsafe to reduce the revenue below the permanent annual expenditure as

now authorized by law, including the appropriation constituting the sinking fund. A reduction below that amount would postpone the payment of the public debt beyond the periods when the several loans of which it is composed, become redeemable."

Quere How does the matter stand now, 1st January, 1822?

Extracts from the report of 23d Nov. 1818.

"As was anticipated in the last annual report, the re-action produced by the excessive importations of foreign merchandise, during the years 1815 and 1816, acquired its greatest force in 1817."

Had the secretary viewed the subject carefully, he would have seen that the re-action was only interrupted in consequence of the operations of that "sinful institution," the bank of the United States; and, when these were choked by circumstances inseparable from the nature of such an extravagant establishment in a free country, he might have been certain that the re-action would recommence and be more active than ever. The secretary is equally erroneous now in supposing that, "the diminution of the revenue from imports had reached its lowest point of depreciation in the first quarter of the present year." He has mistaken a mere mercantile spirit as the commencement of a permanent and increasing revenue from imports. He will find that it is no such thing; but that mercantile operations, as to imports, must eventually be regulated by the exports. These are somewhere about \$50,000,000; and the duties upon imports, at the present rates, must eventually settle down somewhere about \$11,000,000. The facts, including the present rate of exchange, are before the secretary, and if he will not believe in the conclusion to which they inevitably lead, "he will not believe though one rose from the dead."

These hints, elicited from the subject, are by the bye. We resume the extracts from the aforesaid report—

"The extent to which the payments into the treasury, during the year 1819, will be affected by the general pressure upon the community, and which is the inevitable consequence of the over-trading of the banks, [and he might have added the mismanagement of the bank of the United States,] and the exportation of specie to the East Indies, aggravated by the temporary failure of the ordinary supply of the precious metals from the Spanish American mines, [how temporary?—what was to bring it?] cannot at this time be correctly appreciated. Should it exceed what has been contemplated in this report, the appropriations must be diminished, the revenue enlarged by new impositions, or temporary loans authorized to meet the deficiency, as the expenditure of the year 1820 will be greatly reduced by the irredeemable quality of the public debt, after the redemption of the remaining moiety of the Louisiana stock, which may be effected on the 21st day of Oct. 1819; a resort to temporary loans, or to the issue of treasury notes, to the amount of the deficiency, should any occur, is believed to be preferable to the imposition of new taxes, which would not be wanted after that year."

Extract from the report of 10th Dec. 1819.

"Whether the revenue be augmented or the expenditure be diminished, a loan to some extent will be necessary. The augmentation of the one, or the diminution of the other, cannot be effected in sufficient time to save this necessity. As the six per cent. stock of the U. States is considerably above par, the sum required to be raised by loan can be conveniently obtained by the sale of stock of that description; or it may be obtained by the issue of

treasury notes. If the revenue and expenditure shall be equalized, the issue of treasury notes, not bearing interest, is recommended in preference to the creation or sale of stock, as the loan, in that event, will be small in amount and temporary in its nature."

Extract from the report of 1st Dec. 1820.

Having stated that there was "a balance of \$7,451,000 beyond the estimated means for which provision was to be made;" that "the balance of the sinking fund, after paying the interest and providing for the annual payment of the deferred six per cent. stock, was not considered as a charge upon the treasury until 1825," and that it was considered "inexpedient to resort to the imposition of additional taxes"—the report adds, "It is respectfully submitted that the president of the United States be authorized to borrow from the bank of the United States, or from other banks or individuals, the sum which may be necessary for the service of that year."

Extracts from the report of 10th Dec. 1821.

"It is possible that the progressive increase of the revenue, which has been anticipated, may not be realized. The remedy in that case must be—1st, an increase of the public revenue by an addition to the existing duties; or, 2nd, a reduction of the sinking fund."

"If it should be deemed expedient to reduce the sinking fund, in preference to the imposition of additional duties, it may be satisfactory to know that an annual appropriation for that object of \$8,000,000, commencing on the 1st January, 1825, will extinguish the whole of the public debt, exclusive of the three per cent. stock, in the year 1839."

It would be satisfactory to have this demonstrated; and it is probable that, until this be done, members of congress may have considerable doubts how far the secretary is correct.

The real truth of the matter is, that there is not the smallest probability of the debt being paid by 1839; nor can provision be made for the payment of it at all without a total change of system, which, it is confidently believed, will not be had under the present administration, unless congress interpose its authority, contrary to the sentiments of the executive government.

Let any person of common understanding look into this matter, and he will see how utterly fallacious it is.

The secretary says that an annual appropriation of 8,000,000 of dollars, commencing on the 1st of January, 1825, will extinguish the whole of the debt in 1839, except the three per cent. stock.

The total debt is	93,423,000
Add outstanding treasury notes	\$28,000,
and balance of Missis. stock,	105,000, 133,000

	93,556,000
Deduct three per cent. stock	13,296,000

Leaves to be redeemed by 1839	\$80,250,000
To redeem this debt we have a sinking fund proposed of	\$8,000,000
From which deduct the interest, about	5,800,000

Leaves to be applied to reduce the principal	2,200,000
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The number of years from 1825 to 1839, inclusive, is 16; therefore, the sum of \$2,200,000 multiplied by 16 will produce

	\$35,200,000
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The accumulating interest, nearly

	18,000,000
	\$53,200,000

Which is short of the mark above TWENTY-SEVEN MILLIONS OF DOLLARS!

These calculations are not made with perfect accuracy. Our time does not admit of it; and, perhaps, some of the treasury critics may cavil at the fractional errors they may discover; but the estimates are correct enough for general elucidation, which is all that is intended in these essays; and we challenge the whole host of writers to point out a single error which materially affects any one of our conclusions. By these conclusions, then, we shall abide, and again declare that it is essential to the national welfare that the whole system be changed. That a revenue be provided, and that immediately, sufficient to meet all the current annual demands of the nation, with an efficient sinking fund to pay off the whole debt, principal and interest, within a reasonable time. We have shewn that the calculations made by Mr. Crawford hitherto have proved fallacious—every one of them; and we say that he proposes no efficient measure now. On the contrary, we aver that his views are deceptive and his calculations erroneous. He must either bring forward an efficient plan of finance, or congress must do it.

The investigation of this part of the subject has proved so interesting and brought to light so many facts, that we must reserve our views as to the effect of adopting the new tariff, or something like it, to a future number.

No. V.

It was proposed to devote this concluding number to a view of "the probable effect which the adoption of the tariff reported by the committee on manufactures, in 1820, or something like it, would have upon our national affairs;" but so many ideas intrude themselves in consequence of this examination, that it is difficult to bring it to a close. A few circumstances occur to the mind now which may be stated in this place. A most important one is, that, on perusing the whole series of the treasury documents, connected with the messages of the president, the conviction is irresistible, that the executive government are inveterately opposed to manufacturing industry, and disposed to favor the introduction of foreign fabrics by every means within its power; and a few collateral circumstances have come to our knowledge which ought to be publicly stated. If they are correct, the representatives of the people ought to attach to them the proper weight: if they are incorrect, the friends of the administration will have an opportunity of showing proof to the public that they are so. We shall just make a single observation preliminary to the discussion—we hope the republican maxim will never be lost sight of, *that those who administer the executive government are the SERVANTS OF THE PUBLIC, and all their public acts are open for free discussion before that public.* There ought to be no squeamishness about this matter. Every important fact ought to be fairly and broadly stated, and he who withholds important information, of which he is in possession, is not a friend to the country.

That the present executive government is opposed to the progress of manufacturing industry, and in favor of the introduction of foreign fabrics, is evident from all its acts; and the whole of the system of *governmental management* has that for its object. It has been even said that the intrigue which changed the direction of the bank of the United States and brought in a southern president, was predicated on that view. It is certain that the gentleman who now conducts that institution is satisfied that all our operations should be confined to

"our soil and our seas;" and every thing that he can "say" or do to perpetuate the present improvident system, will be at the service of those who support it. It has been also said that the president has frequently pledged himself to his friends that he would not sign the new tariff bill, should it be passed.* It is certain that his proposition to "supply the deficiency in the fund necessary for public purposes, by duties on domestic manufactures," and that, too, at a time when they had every difficulty to contend against, is considered by the manufacturers as peculiarly hostile to them, while it is looked upon with triumphant complacency by the British agents, who are their opponents; so much so, that one of them, in New York, lately, could not contain his feelings in church, but whispered to one of the friends of national industry, during divine service, "Well, how do you like the plan of the president to *tax domestics?*"

It may be mentioned preliminary to the following view, that one permanent good has resulted from this falling off in the revenue. Our treasury managers cannot now indulge in an extravagant expenditure. Scarcity of cash is a capital drill sergeant on the subject of economy. The secretary of the treasury has profited under its discipline.

In the annual report of December 20, 1816, Mr. Crawford made an estimate of what he considered would be the permanent annual expenditure until the public debt would be redeemed—the amount was \$23,500,000. This was predicated upon a permanent revenue of \$4,250,000 after January 1820, and a fund in hand to start with of \$8,400,000. The prospect was so delightful that, in speaking of this fund, he says, "it is applicable to such objects of *internal improvement, or national defence, as the wisdom of congress may direct*" (See this report at full length in the Weekly Register, vol. XI, pages 302, 303.) But what says Mr. Crawford in 1821? Why, in the first place, the \$8,400,000 fund has *vanished*—so he could say *nothing* about that. The sinking fund, except what is necessary to pay the interest and the annual payments of the 6 per cent. deferred stock, is *all swallowed up*—so the consideration of that is *shoved off* to 1825. And as to objects of "*internal improvement*" or "*national defence*," if the wisdom of congress direct the *ways*, it must direct the *means* too; for the plain state of the case is, that the estimate of future revenue is reported at only \$16,110,000, with a hint that *it is possible* it may not be all realized! and the expenditure is reported at only \$14,927,000. Now, with all due deference to the secretary of the treasury, it is respectfully presumed that the *expenditure* will be *more* than the above estimate, and the *income less*. But for the mercantile speculations in foreign imported goods the last six months, which, in the face of an exchange of 12 or 13 per cent. cannot be permanent, we would have been inclined to have estimated the customs at \$12,000,000. The secretary estimates them at \$14,000,000. We shall take them at the amount of the last year, and make our calculations accordingly.

Customs	13,000,000
Public lands	1,500,000
Bank dividend, say 4 per cent.	280,000
Arrears and incidentals	160,000
Total revenue	\$14,940,000

*We apprehend that our correspondent is mistaken in this—the president would hardly have anticipated the subject thus. [Ed. Reg.]

Expenditure.

Civil, diplomatic and miscellaneous	2,250,000
Military	5,108,000
Naval	3,000,000
Public debt	5,723,000
	16,081,000

Leaving a deficiency of \$1,141,000

Now, to provide for this deficiency, the proposed tariff would just be the thing itself. Whoever examines that bill will find it a work of most superior merit, and one of the best devised plans for cementing all the best interests of the country that ever has been brought before the public. Its only fault is in fixing many of the articles at too low rates; but we are willing, for the sake of harmony, to adopt it. [See a comparative view of the new and old tariff, in the Weekly Register, vol. XVIII, page 164.]

This new tariff, if adopted, will, in all probability, reduce the imports to about \$50,000,000, a circumstance essentially necessary to our commercial and domestic prosperity; but the augmented duties will do much more than compensate on the score of revenue. To prove these facts, we submit the following calculations:

To yield a permanent revenue of \$13,000,000, (being one million less than the secretary's estimate), at the present rates of duties, would require an importation for home consumption of about \$59,000,000. With exports to the extent of about \$50,000,000 only, and \$50,000,000 of our public stocks owned abroad, is it a supposable case that this can be maintained? It would be downright nonsense to suppose it. Well, then, let the imports be reduced to about \$50,000,000, as they must soon be by "the force of circumstances," whether our statesmen will or not, the revenue, at the present rates, say 22 per cent. would be about \$11,000,000

The new tariff proposed rates of duties that will average nearly one third more than the former, which would add

3,666,000
14,666,000

To this add the revenue from public lands and other sources

1,835,000

Making an aggregate of \$16,501,000

From which deduct the estimated expenditure

16,081,000

Leaves a surplus which may be applied to the sinking fund of

\$420,000

To restore the sinking fund to full vigor, let a tax be imposed upon *distilled spirits*, and a contemporaneous duty, equivalent thereto, upon *foreign spirits*. There will be no difficulty nor inconvenience in raising \$2,000,000 annually in that way; and this done, the foundation is laid for making us once more a sober, industrious, economical and prosperous people. If this or some other efficient measure be not adopted, and that speedily, we must sink still lower in the scale of public estimation, both at home and abroad; but manufacturing industry will work its way, though, for some time, generally speaking, on a *small scale*. Men possessing property will be at a loss how to dispose of it to advantage, and there will still be "a large amount of capital seeking investment by loan, at or below a rate of interest not exceeding 5 per cent. per annum." [See president's message, November, 1820, Weekly Register vol. XIX, p. 187.] So that there will be no difficulty in borrowing plentifully on the

national security, provided congress agree to the measure. But the friends of national industry indulge the hope that a proposition to borrow more money while the nation remains at peace, or to levy a tax upon the manufactures of the country, will meet with the decided reprobation of a great majority in the national legislature; to the wisdom of which we consign the consideration of this most important question.

Communicated on behalf of the

FRIENDS OF NATIONAL INDUSTRY.

ETIQUETTE. We publish a curious article on this subject—a letter from Mr. Adams, secretary of state, to the vice-president of the U. States. Some friend of Mr. A. has, no doubt, felt himself driven to this procedure by certain ungenerous and illiberal rumors which were put into circulation as to the contents of that letter. But we shall not enter into the merits of the affair.

District Tonnage.

TREASURY DEPARTMENT,

Register's office, 4th January, 1822.

SIR: I have the honor to transmit the annual statement to the 31st December, 1820, of the district tonnage of the United States.

	Tons.	95ths.
The registered tonnage, as corrected at this office, for the year 1820, is stated at	619,047	53
The enrolled and licensed tonnage is stated at	588,025	04
The fishing vessels, at	73,093	62
Amounting to	1,280,166	24

The tonnage on which duties were collected during the year 1820, amounted as follows:

Registered tonnage employed in foreign trade, paying duty on each voyage	796,149	34
Enrolled and licensed tonnage employed in the coasting trade, paying an annual duty; also, registered tonnage employed in the coasting trade, paying duty on each entry	660,730	44
Fishing vessels the same	69,422	50
	1,526,302	33

Duties were also paid on tonnage owned by citizens of the United States engaged in foreign trade, not registered

5,104 22

Ditto, coasting trade

1,181 42

6,285 64

Total amount of tonnage on which duties were collected

1,532,588 02

Of the registered tonnage, amounting, as before stated, to 619,047 53.95tons, there were employed in the whale fishery

35,391 44

Enrolled and licensed tonnage also in the whale fishery

1,053 66

Amounting to 36,445 15

I beg leave to subjoin a statement (marked A) of the tonnage for the year 1820, compared with the

amount thereof, as exhibited in the preceding annual statement for 1819; with notes in relation to the decrease of the registered, and increase of the enrolled tonnage, respectively, in the year 1820.

By this statement, it appears that the total amount of new vessels built in the several districts of the United States, during the year 1820, was

Registered tonnage	<i>Tons. 95cts.</i> 22,988 06
Enrolled do.	24,795 90
Total	47,784 01

I have the honor to be, with great respect, sir, your most obedient servant,

JOSEPH NOURSE, *Register.*

Hon. WILLIAM H. CRAWFORD,
Secretary of the treasury.

Here follows the usual heavy table, shewing the amount of tonnage of the several districts of the United States, on the last day of December, 1820. The following are the names of the districts, &c. of which the amount of tonnage exceeds 10,000:

Penobscot, (Me.)	14,048
Waldoborough	21,754
Wiscasset	10,636
Bath	21,612
Portland	33,619
Portsmouth, (N. H.)	23,335
Newburyport, (Mass.)	20,441
Gloucester	11,440
Salem	33,046
Marblehead	11,954
Boston	126,323
Plymouth	21,069
New Bedford	32,240
Barnstable	20,819
Nantucket	28,512
Providence, (R. I.)	20,575
Newport	10,701
Middletown, (Con.)	16,553
New-London	10,831
New-Haven	10,255
New-York	231,215
Bridgetown, (N. J.)	15,431
Philadelphia	83,225
Wilmington, (Del.)	10,043
Baltimore, (Md.)	68,674
Oxford	16,856
Vienna	21,392
Alexandria, (Col.)	15,086
Norfolk, (Va.)	23,809
Charleston, (S. C.)	28,403
Savannah, (Geo.)	10,826
New-Orleans	38,851

Mint of the United States.

Mint of the U. States, 22nd December, 1821.

SIR: Agreeably to the general instructions, I have caused assays to be made of the several species of foreign coins, still current, by law, in the United States.

The assayer's report is as follows:

No. 1. Made of equal parts of five French crowns, 10oz. 19dwts. fine in 12oz.

No. 2. Made of equal parts of five five-franc pieces 10oz. 16dwts. fine, in 12oz.

No. 3. Made of equal parts of five Spanish dollars, 10oz. 16dwts. fine, in 12oz.

The above assays were found from coins of the latest dates that could be procured; and, as they correspond so nearly in quality with those assayed on former occasions, it may be safely presumed,

that no alterations have taken place in the quality of these coins.

The following statement of the average results of the five last annual assays, including the present, may not, perhaps, be unacceptable; especially if congress should think proper to legislate on the subject of foreign coins.

The gold coins of Great Britain and of Portugal are constantly found to be of the same quality with those of the United States, (those of Portugal, however, being rather bare,) viz. 22 carats fine, in 24. And, as the eagle, (10 dollar peice,) weighs 270 grs. it follows, that the value of these coins is one dollar for 27 grs. or 88 8-9 (say 88.89) cents per dw't.

The gold coins of France average 21 carats 2 5-12 grs. fine in 24 carats, consequently, their value will be one dollar for 27.49 grs. or 87.29 cents per dw't.

The gold coins of Spain average 20 carats, 3 1-4 grs. fine, in 24 carats, consequently, their value will be one dollar for 28.54 grs. or 84.09 cents per dw't.

The standard quality of the silver coins of the United States is 10oz. 14dwts. 4 5-13grs. fine, in 12 ounces, and the weight of the dollar 17dwts. 8grs.: consequently, their value per oz. will be 115 5 13 cents.

The average quality of silver French crowns is 10oz. 18dwts. 13grs. fine, in 12 ounces; consequently, their value will be 117.73 cents per oz.

The average quality of silver five-franc pieces of France is 10oz. 16dwts. fine, in 12 ounces; consequently, their value will be 116.36 cents per oz.

The average quality of Spanish dollars is 10oz. 15dwts. 18grs. fine, in 12 ounces; consequently, their value will be 116.23 cents per oz.

The above average values of foreign coins differ but little from those established by former acts of congress; as will be seen by the following comparison.

By acts of congress,

British and Portuguese gold coins,	at	88.89 cents per dw't.
French do.	at	87.27 do.
Spanish do.	at	84.21 do.
Silver French crowns	at	117.6 cents per oz.
Silver five franc pieces	at	116 do.
Spanish dollars	at	115.65 do.

By the above averages,

British and Portuguese gold coins,	at	88.89 cents per dw't.
French do.	at	87.29 do.
Spanish do.	at	84.09 do.
Silver French crowns	at	117.73 cents per oz.
Silver five franc pieces	at	116.36 do.
Spanish dollars	at	116.23 do.

I have the honor to be, very respectfully, sir, your obedient servant,

R. PATTERSON.

Wm. H. Crawford, *secretary of the treasury.*

Etiquette.

TO THE EDITORS OF THE NATIONAL INTELLIGENCER.

Gentlemen—Some allusion having been made, by a correspondent of the Richmond Enquirer, and appearing in that print, to a private letter from the secretary of state to the vice president of the United States, a copy of that letter is herewith enclosed, which, if you think it relating to a subject of sufficient interest to the public to deserve a place in your paper, you are at liberty to publish.

Washington, 15th Jan. 1822.

—
WASHINGTON, DEC. 29, 1819.

The Vice President of the U. S.

Dear sir—It has been suggested to me, that some of the members of the senate entertaining the opinion that a formal visit, in person or by card, is due

from each of the heads of the executive departments at the commencement of every session of congress, to every senator upon his arrival at the seat of government; have considered the omission, on my part, to pay such visits, as the withholding from them of a proper mark of respect, or even, as implying a pretension to exact such a formality from them. Disclaiming every such pretension and every such claim on my part, I take the liberty of submitting to you the following explanation of the motives which have governed my conduct in relation to this subject:

I have invariably considered the government of the United States as a government for the transaction of business, and that no ceremonial for the mode or order of interchanging visits between the persons belonging to the respective departments in it had ever been established. I was myself five years a member of the senate, and at four of the five sessions of congress, which I attended, was accompanied at this place by my wife. During that time, I never once received a first visit from any one of the heads of departments, nor did my wife ever receive a first visit from any one of their ladies, except, perhaps, *once*, when she was sick, from Mrs. Madison. We always called upon them soon after our arrival at Washington, not from any opinion that it was an obligation of duty, but because we understood and believed it to be usual, and because we did not think it improper. We made an exception, after the first session, with regard to Mr. Gallatin, who, never having returned my first visit, was supposed not to incline to that sort of intercourse with us.

When I came to reside at this place, two years since, I was under the impression that the usages, with regard to visiting, were as I had known and practised them ten years before; that, as a member of the administration, I had no sort of claim to a first visit from any member of either house of congress, but that neither had any member of congress any claim to a first visit from me—that the interchange and order of visits was entirely optional on both sides, and that no rule of etiquette whatsoever existed, which required that either party should pay the first visit, or indeed any visit, to the other.

In the course of the winter of 1817–18, two members of the senate, for both of whom I entertained the highest respect, and with one of whom I had had the pleasure of sitting several years in the senate, called at my office, and informed me that there was a minute of a rule agreed upon, not officially, but privately, by the members of the senate of the first congress, that the senators of United States paid the first visit to no person except the president of the United States. I observed to them, that as, during five years' service as a senator, I had never seen or heard of this rule, I could hardly consider it has having been much observed; that I could, however, have no possible objection to the senators prescribing to *themselves* any rule of visiting, which they might think proper. But, I asked them if they understood the rule as implying an order that *other persons* should first visit them? They answered, if I recollect right, by no means. And I supposed they viewed the whole affair as I did—that is, of very little importance. I have, therefore, paid no visits of form to members of the senate; and, although always happy to receive and return the visits of those who pleased to call upon me, and happy to invite to my house every member of the senate, whether he had or had not paid me a visit, who would give me the honor of his company, I yet always respected the motives of those who declin-

ed paying me any visit, or even frequenting my house at all. I exacted nothing from them, which they might think incompatible with their dignity. I presumed they would exact nothing from me, not within the line of my official duty. I soon learnt, that, if I should make it a rule to pay the first visit to every senator at each session, the same compliment would be claimed, if not by all, at least by a large proportion of the members of the house of representatives; and I could find no republican principle which would, to my own mind, justify me in refusing to the members of one house that which I should yield as due to the members of another. At the commencement of each session I have visited the presiding member of each house, not from a sense of obligation, but of propriety. I have not felt it my duty to pay first visits to any individual member of either house; nor has it entered my imagination, that a first visit was *due* from any member of either house to me.

If there is a body of men upon earth, for whom, more than for any other, I ought to cherish every feeling of attachment, superadded to every sentiment of reverence, it is the senate of the United States. Its importance and dignity, as one of the branches of the legislature, as one of the component parts of the supreme executive, and as the tribunal of official honor and virtue, cannot be more highly estimated by any man than by me.—My father had the honor of being its first presiding officer. I had, for five years, that of being one of its members; and through every successive administration of this government, from the establishment of the national constitution to this time, I have received frequent tokens of its confidence, which can never be obliterated from my memory, and claiming all my gratitude. For every individual member of the body, I feel all the respect due to his public character; and there is not one member towards whom I entertain a sentiment other than that of regard and esteem. If, therefore, the principle upon which I have omitted to pay them first visits of form, should ultimately fail of meeting their approbation, it will be serious cause of regret to me; but, at all events, I hope they will impute it to any other cause than intentional disrespect to them.

I take this occasion of observing, that, with my approbation and advice, my wife has acted upon the same principle with regard to the ladies connected with members of the senate or house of representatives, who have visited this place during the session of congress, that I have pursued in relation to the members themselves. She has paid no first visits to ladies with whom she had not the advantage of being acquainted. She has received with pleasure, and returned, the visits of all ladies who have called upon her, whether connected with members of congress or otherwise. She has visited her friends on the usual footing of private citizens, without pretension to claim, and without being sensible of any obligation to pay, any first visit. She would have paid, with much pleasure, this compliment to the ladies of members of congress, had it been proper, in her opinion, to concede it to them. But she was aware that many other ladies, equally strangers to her, and, though not immediately allied to members of congress, of character and standing in society, equally respectable, occasionally came to spend some time in the city; and knowing it to be impossible that she should visit them all, she declined the invidious task of discriminating whom she should and whom she should not first visit. If, in observing this rule, she ha-

deviated from the practice of some other ladies, in situations similar to her own, she has conformed to that which she constantly observed when she was herself the wife of a senator at the seat of government. She then always called upon the ladies of the heads of departments when she came to Washington, and always understood it to be the common practice. She lays no claim, however, to the same attention from any other lady; and, having no pretension to visits of etiquette herself, thinks herself amenable to none from others. She has invited to her house, without waiting for formal visits, every lady of a member of congress, to whom she had not reason to believe such an invitation would be unwelcome, and while feeling it as a favor from those who have accepted her invitations, she has only regretted the more rigorous etiquette of those who have declined, inasmuch as it bereft her of the happiness which she would have derived from a more successful cultivation of their acquaintance: She would regret still more the error which should, in any instance, attribute her conduct to a pretension of any kind on her part, or to disregard of what is due from her to others.

I have thought this candid explanation of the motives of my conduct particularly due to those members of the senate who, it has been intimated to me, have thought there was something exceptionable in it. I submit to your indulgence and to their candor, with the sincere and earnest assurance of my perfect respect for yourself and for them.

JOHN QUINCY ADAMS.

Inquisition at Lisbon.

(EXTRACT OF A LETTER.)

"Lisbon, Oct. 20, 1821.

"I send you a description of the inquisition at this place, which I have been to visit. At the sitting of the cortes on the 10th inst. senior Figueras presented a letter from the keeper of the inquisition, stating, that on the building being opened for public inspection, the people had behaved in a very disorderly manner, breaking open doors and carrying away papers, &c. and that several persons had actually cried out that the building should be burned, whilst they held lighted candles in their hands, as if about to put their threats into execution; which he stated they would have done but for the interposition of the guards. The keeper therefore prayed that measures should be taken to prevent the recurrence of such scenes. Senior Bastas said, that if any such disorders as had been described had occurred, it was owing to the refusal of the keepers to shew the instruments of torture and the lower cells of the prison to the visitors. In his opinions these gentlemen, the keepers, cherished a religious respect for the tribunal, of which they spoke with apparent veneration.—As it was apprehended the people would set fire to the place, it would be better, to suspend lamps in various parts, and not allow the visitors to carry lights. Senior Fernando Thomas proposed that an inscription, of which the following is a translation, should be fixed on every place occupied by the inquisition in Portugal—

"May eternal malediction follow every Portuguese, who does not hold forever in abhorrence an invention so infernal."

"On the 8th of October, the inquisition at Lisbon was thrown open for public inspection, and for the first four days the concourse of people of all descriptions, that crowded to view it, was so great,

that the pressure at the entrance rendered it an enterprize of some risk. The building is a long oblong, with a garden in the center; there are three floors, with vaulted passages, along the sides of which are cells of different sizes, from 6 by 7 feet, to 8 by 9 feet. Each cell has 2 doors—the inner one of iron, the outer of oak very strong. As there are no windows in the cells on the ground and middle floors, no light is admitted when the doors are shut. The cells on the upper floor, are larger than the others, and each has an aperture like a chimney, through which the sky is visible. These were appropriated to the use of those who it was supposed might be liberated. In the roof of each cell (for they are all vaulted) is a small aperture of about an inch in diameter, and a private passage runs over each range, so that the persons employed by the holy office could at any time observe the conduct of the prisoners unseen, and if two persons were confined in one cell, hear their conversation. There are seats in these private passages so contrived that a person sitting might inspect two of the cells at the same time as by a turn of the head could fix his eye upon a hole over either cell at pleasure—or he could hear what was said in either. The persons appointed to listen to the discourse of the prisoners wore cloth shoes—so that their footsteps could not be heard. Frequently a familiar of the holy office was put into the cell of a prisoner, as a person arrested, in order to entrap the unfortunate inmate of this place into admissions that might afterwards be used against him. I saw in several of the cells human skulls and bones—most of them appeared to have lain there for many years, as I broke some of them easily with my fingers—others were hard and fresh—in a number of the cells, the names of the unhappy inmates were written on the walls—some had strokes, apparently marking the number of days or weeks the victims of this horrid tyranny had been confined. On the wall of one cell I counted upwards of 500 of these marks. On the wall of another of the cells was written, 'Francisco Joze Carvalho, entered here the last day of March, 1809, and remained as many days as there are strokes on the wall.' On the wall of another cell was written 'John Laycock;'—the name had been covered with white wash, which had scaled off.

There were a number of strokes under the name, and the figures 18 were easily made out, the others were obliterated. Some of the cells, which had not been used for several years, were locked up, but the visitors soon broke them open. Human bones were found in many of these. In one was found part of a friar's habit, with a waist girdle of rope and some bones. The apertures like chimneys in some of the cells were closed—and I have been informed, that it was a common mode of putting prisoners to death to place them in these apertures which were then walled up, and quick lime being poured in from the top, a speedy end was put to their sufferings. The furniture is very old—the chairs in the halls are covered with leather, studded all round with very large brass nails. I send you a piece of leather with one of these nails taken from one of the best chairs. The large tables in the halls had drawers for papers—these the visitors broke open, every one being desirous of obtaining some relic of the once terrible inquisition. In the cells there were mattresses, some of them old, others nearly new—which proves that the inquisition was no bugbear up to a very recent date. Besides the three floors which I have described, there are a number of cells under ground, which

have not yet been opened. These it is supposed contain the apparatus for inflicting the tortures, &c. It is understood that these will be shortly thrown open to the public--when they are, I shall not fail to visit them, and shall send you a description.--The spot on which the inquisition stands was covered with houses in 1755, when the great earthquake happened, by which they were laid in ruins--so that the present building has not been erected more than 60 years; and all the victims that were immolated in it, must have been sacrificed within that period."

South American Privateering.

From the Philadelphia Gazette.

BUENOS AYRES, Oct. 11th, 1821.

Mr. Relf—The captain of the schooner *Essex*, bound to Providence, has obligingly waited one hour until I could get the enclosed paper translated, with the correspondence between our worthy fellow-citizen, colonel Forbes, and this government. The colonel is very much respected in this place, by all parties, and all pay him great attention. By his superior management and easy manners, he can accomplish almost any point he wishes, while the English are for forcing every measure they wish to obtain, and never succeed. Excuse haste,

And believe me your's truly

R. B.

Mr. Forbes to Mr. Rivadavia.

BUENOS AYRES, 14th Sept. 1821.

SIR—Although I have been more than ten months in this city, I have never, until now, found a moment, when, under all circumstances, I deemed it expedient to lay before the government the sentiments and views of that of the United States, in relation to many interesting subjects, as contained in the instructions I received on my departure from Washington. On the recent organization of this government, I intimated to you the desire to hold a full and frank conference, which you had the goodness to promise me at the commencement of the past month, but which has been materially delayed by your more pressing occupations.

Appreciating, as I do, the great and efficient efforts now making by you in the cause of your country, I should most willingly continue to wait your convenience for the proposed conference, were I not impelled, by recent information, to press on the early attention of this government one of the subjects on which I am instructed by that of the United States—I mean the indiscriminate violences which are daily committed on the ocean against the peaceful commerce of unoffending nations, under the various flags of the South American provinces.

It is now a long time since those violences have called forth the most pointed reprobation of many governments in Europe, and that of the United States. Several governments have made active efforts to repress them by force; these efforts have been unavailing: those privileged plunderers

"Can add colors to the camelion;

"Change shapes with Proteus for advantage."

There is nothing fixed but the blackness of their purpose, and the boldness of their atrocities. They are furnished with various commissions, and navigated by crews of men without country, without morality, and without other ties than those of crime and plunder. By the privateering regulations of Buenos Ayres, a privateer owned here, or commissioned by this government, who shall be furnished with a commission from any other prince or republic, even if allied with this, shall be adjudged a good prize, and her captain or commander punished as pirates. It is, therefore, under the sanction of its

own laws that I presume to call the early and efficacious intervention of this government, to vindicate those violated laws. But, sir, it is above all, from a full faith in those sentiments of honor, that love of order and justice, which so eminently distinguish every step of the present administration, that I derive the strongest hope that this call will not be disregarded. The public gazettes recently received from the United States, contain several well authenticated statements of new outrages committed by those freebooters, whose numbers are multiplied and the boldness of their wicked enterprizes increased by their impunity. I will not swell this written communication by any extracts from the information received; but hope that, at an early day, it will be convenient for you to admit me to a personal conference, when I shall be happy to communicate with you, in that spirit of frankness which is the best pledge of friendship, as well as the facts in my possession, as the feelings of the government of the United States on this highly interesting and important subject.

I avail myself, with pleasure, of this occasion to renew to you, Mr. Minister, the assurances of my most distinguished consideration and respect,

(Signed)

J. M. FORBES,

Agent of the U. S. of N. A.

To Mr. RIVADAVIA,

Minister of gov't and foreign relations.

Mr. Rivadavia to Mr. Forbes.

BUENOS AYRES, 15th Sept. 1821.

The minister of government and foreign relations has had the honor of receiving the official note from the agent of the United States under yesterday's date; and he considers it his particular duty to make an acknowledgement of the honorable distinction the said agent shews towards him. With respect to the principal affair therein contained, he can only repeat what he had the satisfaction to make him acquainted with in his last interview; which was, that the government had adopted every measure in its power to suppress the evils committed by privateers of this country, towards the commerce of neutral nations from the abuse of their commissions--nevertheless, the minister of government and foreign relations, feeling desirous of contributing towards the completion of these measures, as far as they are capable of being made perfect, will be happy to receive any further explanation on this subject that the agent of the United States may think proper to give him—For which purpose it will be taken as an honor, if the agent would take the trouble to call on the minister at his house on Monday morning of the 17th inst at 11 o'clock.

The minister of government and foreign relations expresses his thanks to the agent for the distinction he confers upon him, and begs to return it by the assurances of his consideration and respect,

(Signed)

B. RIVADAVIA.

To J. M. FORBES, Esq.

Agent of the U. S. of N. A.

Mr. Rivadavia to Mr. Forbes.

BUENOS AYRES, 6th Oct. 1821.

In consequence of the offer made by the minister of government and foreign relations to the agent of the U. States, he has the honor of transmitting him a copy of a decree issued by the war and navy department respecting privateering.

With the minister's consideration and respect, he remains, &c.

(Signed)

B. RIVADAVIA.

To J. M. FORBES, Esq.

Agent of the U. S. of N. A.

DECREES.

Department of war. } One of the resources which the unfortunate rights of war have made legal, and its object necessary, is privateering. The war for the independence of the Provinces of Holland and that of the United States of North America, have proved this kind of hostility to be the most advantageous for a country that prepares to defend its independence against a more ancient and remote country that has governed it. It is impossible to foresee or repress every abuse that may be occasioned by privateering. The government finds itself under the painful necessity of authorizing and even promoting this system of warfare, has but two means whereby it can lessen its illegal consequences; and, consequently, is only bound by two obligations respecting it. The first is, to dictate such regulation, and take such precautions as may correct those abuses; not suffering them to be committed with impunity. In this respect, the government has fulfilled its duty. The privateering regulations prove it. The second is, to put an end to this kind of warfare as soon as it becomes no longer necessary, or when the result does not compensate for the risks and difficulties it may produce. The government considers these two events to have arrived; and consequently has agreed upon and decrees the following articles:

1st. In future no letter of marque and reprisal shall be granted without previously and solemnly publishing the cause that obliges the government to have recourse to the measure.

2nd. Every person within the territory of this province who may be in possession of any letter of marque, must present it to the minister of the navy within fifteen days from the date of this decree.

3rd. Those persons in countries situated beyond the equinoctial line, or on the coast of the Pacific, must present said letter of marque at the navy office within eight months.

4th. The securities given shall become responsible for the fulfilment of the two foregoing articles.

5th. Every commander of a privateer cruising, in virtue of a letter of marque, granted by any of the governments that have existed in this capitol, at the sight of this decree, shall cease to cruise, and shall put into port to disarm, and return the license.

6th. Any one who shall transgress the foregoing article will incur the guilt of piracy.

7th. Every privateer that shall continue to cruise, after the expiration of eight months from the date of this decree, authorized by license from the government of this place, will be treated as a pirate.

8th. The minister of war and navy is charged with the execution of this decree.

Buenos Ayres, 6th. Oct. 1821.

(Signed) MARTIN RODRIGUEZ

FRANCISCO DE LA CRUZ,

Secretary of war and navy.

Foreign Miscellanies.

FRANCE.

The castle of Palaise, in Normandy, in which William the conqueror was born, is now converted into a college for the education of young gentlemen. The French government lately expended a considerable sum in repairing it, and the round tower is now said to be a perfect model of ancient architecture.

Madame Lavalette, whose unfortunate mental malady has already been noticed, has been removed to a private lunatic asylum at Montinere, near

Paris, where the pureness of the air and attention to her case, are expected to restore her soon to reason.

Carnot is living in a very retired manner near Magdeburg. He is engaged, it is said, in composing a work, entitled "Historical Memoirs of the French Revolution, and the events of the last thirty years."

The count Bertrand and the count and countess Montholon, and family, belonging to the late household of Bonaparte, have obtained the permission of Louis 18th to return to France, and have repaired to Paris.

The Gazette de France presents a curious instance of the interference of the censors: a head line appears "*Vienna, 25th Sept.*" and immediately follows a blank space, equal to about twenty lines. It is then stated that traces of a conspiracy had been discovered in Transylvania; that several dissenting ministers had been arrested; that in the assembly of the states of the county of Pesth, some resistance had been manifested to the proposition of the court, and that the count Festelitz and the baron Orozi had made use of language little agreeable to the government.

The emigrations of English to France is greater this year than ever, and the sums spent enormous.

Government has entered into a contract for ten thousand loads of mahogany, for ship building, on account of the high price of oak timber, and its liability to the dry rot.

The French navy consists of 58 sail of the line and 40 frigates.

The society of Agriculture, Science and Arts, at Chalon-sur-Marne, has offered a golden medal, value 300 francs, for the best essay upon the following question:

"Which, in time of peace, are the best means of rendering the leisure of the French soldier most useful to himself, to the army, and the state, without injury to his national character and military spirit."

The king of France has sanctioned a new French translation of the Bible, by M. de Genoude, and subscribed for a number of copies of the work, which is printed at the royal printing office, by order of M. de Garde des Sceaux, at the public expense.

The French clergy consists of 3 cardinals, with appointments valued at 90,000 francs; 9 archbishops and 41 bishops, 912,198; Royal Chapter of St. Denis, 200,000; 109 vicars general and 416 canons, 867,500; 2,885 parish priests 2,940,000; 26,152 inferior officiating ministers, 15,500,000; about 4,000 vicars with 3,500 *binages*, i. e. where mass is said twice a day, 1,840,000; 1,216 diocesan bourses (a sort of fellowship) and 2,218 demi-bourses, 940,000; 183 pastors of Calvinists, and 174 do of Lutherans, 485,000. Of these 18 bourses and 36 half bourses.

Died, in Paris, Oct. 20, the duke de Talleyrand Perrigord, archbishop of Paris, aged 85.

Disappearance of a mountain—The Journal des Debats says, "An extraordinary event happened in the environs of Aubenas, on the 15th of June last. A loud report was heard during five or six minutes, to the extent of six miles round. The inhabitants knew not the cause, when a very high mountain, called Gerbier de Jone, at the foot of which springs the Loire, disappeared, and presented nothing but a lake. This mountain was high, and it was difficult to reach the top, at the extremity of which there was a fountain. The commotion was so strong, that it produced an earthquake for a space of five leagues in circumference."

NETHERLANDS.

The Roman bridge in Holland. The Roman bridge which was discovered in Holland in 1818, is now wholly cleared from the turf with which it was surrounded. It is three miles long, and twelve feet broad. It was laid by the fifteenth cohort of Germanicus, over the marshes, in which deep beds of turf have since been formed, and, in all probability, gradually sunk into the marsh by its own weight. The resinous particles which are in the marshy soil, have, probably, contributed to preserve the bridge, which is entirely of wood. Every six feet there were posts to support the railing, as may be judged by the holes in which they were fixed. This great work, which consists of a judicious number of beams, appears to have been wrought with very large axes; the workmanship is admirable.

PORTUGAL.

A motion has been made in the Portuguese cortes on the utility and necessity of the marriage of priests.

The following decree being communicated to the king, he sent a message to the cortes, with his thanks, for the interest taken in the welfare of his family, and assuring them that it should be put into immediate execution.

I, don John, by the grace of God and the constitution, king, &c. make known to all my subjects that the cortes have passed the following decree:

The general, extraordinary and constitutional cortes of the Portuguese nation, having this day established a form of government and public administration for the provinces of Brazil, so that the residence of the prince royal at Rio de Janeiro has become unnecessary—and having considered that it is for the interest of the nation that his royal highness should visit some illustrious countries, in order to acquire such knowledge as is necessary to him, who will one day occupy the Portuguese throne:—Respectfully make known to the king, that they have resolved,

1st. That the prince royal shall speedily return to Portugal.

2d. That his royal highness, on his arrival in Portugal, shall visit incognito, the courts and kingdoms of Spain, France, and England, accompanied by persons distinguished for learning, virtue, and attachment to the constitutional system, to be nominated by his majesty.

Hall of the cortes, Sept. 29, 1821.

Palace of Quelvo, Oct. 1st, 1821.

JOSE DA SILVA CARVALHO.

TWO SICILIES.

Several of the deputies of the late Neapolitan parliament, have been sent to the safe-keeping of the emperor of Austria, who has assigned the city of Prague for their prison. Others are to be sent to Spielberg and Montgat.

GERMANY.

The duke of Saxe Cobourg has given a constitution to his state. The duty of drawing it up was imposed on a commission, which finished its labors about the beginning of August. The duke signed it on the 8th of the same month. It is divided into ten chapters, and is so voluminous that, if drawn out in large characters, it would cover a considerable portion of the duchy.

POLAND.

The population of Poland is rapidly increasing—the present number of its inhabitants is 3,438,728; and the condition of the people has been much ameliorated and improved within a few years past. Manufactures are encouraged and extending; every branch of industry is patronized. The Polish

army is almost exclusively clothed and furnished with the fabrics of the country.

DENMARK.

In the kingdom of Denmark there were born in 1820, 32,377 children, among whom 3,089 were natural children. The number of deaths was 23,532. At Copenhagen the births were 2,225, including 852 natural children; the deaths 1,162.

RUSSIA.

A ship of the line of 110 guns, called "L'Empereur Francois," has been launched at Cherson, in the waters of the Dnieper.

The Russian clergy are completely exempted from all civil taxes, and also from corporeal punishments, even in the cases of committing capital crimes.

We have before mentioned the church of Isaac, building at St. Petersburg, by order of the emperor. Some of the pillars, of solid granite, are 56 feet long and 9 feet in diameter, and weigh about 110 tons. The edifice is rapidly advancing.

EAST INDIES.

Captain Lovett, from Samarang, arrived at New-York, informs, that it had been very sickly at that place previous to his arrival. It was estimated that 23,000 persons had died there in two months of cholera morbus. The disease had subsided in a great measure at Samarang, but was still raging at Batavia. The Dutch squadron had returned to Batavia, from a successful expedition against Palembang, having on board the rajah of that province as a prisoner.

A letter from Batavia, dated July 28, 1821, says—"The great and astonishing mortality which has, until these few days, attended the inhabitants of this island, natives as well as foreigners, was produced by the cholera morbus, and rages more violently at the eastern ports than at Batavia. It is computed that 400,000 persons have perished; and in such numbers daily that they were obliged to tumble the bodies, by cart-loads, into large holes, and cover them indiscriminately. It has now entirely subsided."

CUBA.

The captain-general of the island of Cuba issued, on the 6th inst. an ordinance regulating in what manner emigrants, as well as subjects of Spain, arriving as settlers in the island, are to be admitted. Every foreigner so arriving, before he can be permitted to land, must present a memorial to the government as to his object, subscribed with his name and that of his security, who is to be answerable for his conduct during the whole period of residence which may be allowed him according to the prayer of the memorial. Without this, the captain bringing him, is enjoined to take him away, under a penalty of 200 dollars—the consignee of the vessel being security for compliance. The names of all the parties, the vessel, her port of departure, the date of her arrival, &c. are to be carefully enregistered. A formal permit to land and reside, correspondent to the memorial, must be obtained from the secretary's office, before even any baggage can be put on shore. The officers of the revenue are directed to make known all the formalities prescribed, to all the captains of foreign vessels.

CANADA.

This country, from the asylum which it afforded to counterfeiters of notes of the banks of the U. States, and bad persons of other descriptions, refugees from justice, will no longer be the safe abode of such persons—the authorities having resolved to deliver up all citizens of the United States charged with offences against the laws

Seventeenth Congress—first session.

IN THE SENATE.

January 11. But little business was before the senate to-day. Sundry bills were reported from committees to which they had been referred, without amendment; some were read a second time in course and referred, and several petitions relative to private claims were received.

The senate adjourned to Monday.

January 14. After transacting some minor business—

The senate proceeded, according to the order of the day, to the consideration of the following resolution, submitted by Mr. R. M. Johnson, of Ky. on the 12th of December.

Resolved, by the senate and house of representatives of the United States of America, in congress assembled, That the following amendment to the constitution of the United States be proposed to the legislatures of the several states, which, when ratified by the legislatures of three-fourths of the states, shall be valid to all intents and purposes, as part of the said constitution:

"That, in all controversies where the judicial power of the United States shall be so construed as to extend to any case in law or equity, arising under this constitution, the laws of the United States, or treaties made, or which shall be made, under their authority, and to which a state shall be a party; and in all controversies in which a state may desire to become a party, in consequence of having the constitution or laws of such state questioned, the senate of the United States shall have appellate jurisdiction."

Mr. Johnson, of Ky. rose in support of his proposition, and addressed the senate more than two hours in an argument to shew the expediency of the proposed amendment, but, before he had concluded his remarks, took his seat with the intention of resuming them to-morrow.

After a few observations from Mr. Otis, on an incidental point of Mr. Johnson's argument,

The senate went into the consideration of executive business; and then adjourned.

January 16. Mr. Ethan A. Brown, a senator from the state of Ohio, in the place of the late Mr. Trimble, appeared this day, was qualified, and took his seat.

Mr. Noble submitted the following resolution for consideration:

Resolved, That the secretary for the department of war be directed to lay before the senate the amount of money furnished the agent at the bank of Vincennes, in the state of Indiana, for the purpose of paying the pensioners in the said state; and also to give the names of the agent, the names of the pensioners paid by the agent, and the amount paid to each, and the time when paid, the balance of the money, if any, in the hands of the agent at the present time, and at the time the agent was dismissed, and whether the agent be liable in his individual capacity for any amount of money not faithfully applied, or the directors of the bank of Vincennes in their corporate capacity.

Mr. Dickerson presented a petition from the American Philosophical Society of Philadelphia, praying that books, &c. presented to the society from abroad may be received free of duty, as books are when imported by it, (which are exempted from duty by the act establishing the tariff.)

Mr. D. accompanied the petition with some explanatory remarks, and moved that it be printed, together with a statement annexed thereto, giving a view of the duties on books in the various countries of Europe.

After some objection to the proposition of printing the petition, &c. the motion was agreed to.

The senate then resumed the consideration of the proposition introduced by Mr. R. M. Johnson, of Kentucky, to amend the constitution.

Mr. Johnson, of Kentucky, resumed the speech which he commenced yesterday in support of his resolution, and spoke about two hours. When he had concluded,

Mr. Holmes, of Maine, rose to offer an amendment to the resolution. He questioned the sufficiency of the reasons advanced by Mr. Johnson in

favor of his proposition, and then proceeded to take a brief view of the present tenure by which the judges hold their office, the evils thereof, the necessity for a greater degree of responsibility in the judicial branch of the government, &c. and concluded by offering the following amendment: To strike out all that part of the resolution which proposes to give appellate jurisdiction, in certain cases, to the senate, and to insert the following amendment to the constitution:

Any judge of any court of the United States may be removed from office by the president of the United States, on the address of both houses of congress.

Mr. Van Buren submitted it to the chair whether the amendment was in order, and made some remarks on the subject. It was decided to be in order—after which the further consideration of the matter was postponed until to-morrow, and the senate adjourned.

January 16. Mr. Thomas reported a bill prescribing the route of the great national road from Wheeling, through Columbus, Indianapolis, and Vandalia, (the seats of the government of the states of Ohio, Indiana and Illinois), to the Mississippi river.

The order of the day being to consider the proposition to alter the constitution of the United States so as to effect a uniform mode of electing electors of president and vice president and members of the house of representatives, the subject was taken up—Mr. Barbour spoke against and Mr. Dickerson in favor of the resolution, at considerable length. Other gentlemen took part in the debate; but the senate rose without any decision affecting the merits of the proposition.

January 17. This was a busy day in the senate; but nothing important was decided—we shall take some notice of the proceedings in our next.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 11. Among the petitions presented this day, was one by Mr. Newton, from the borough of Norfolk, praying for the repeal of the laws interdicting certain intercourse with the British colonies, which was read and referred.

The house then proceeded to the consideration of a resolution, submitted some time ago, by Mr. Walworth, directing the committee on military affairs to inquire into the expediency of changing the component parts of the ration to the soldiers, so as to omit or to reduce the quantity of spirituous liquors it contains.

After some remarks from Mr. Walworth, the resolution was agreed to.

Mr. Eustis offered for consideration the following resolution:

Resolved, That the committee of ways and means be instructed to inquire into the expediency of making an appropriation at the present session on account of the clothing of the army for the year 1823.

In support of this motion, Mr. E. made some observations, the object of which was to shew that some measure was necessary to enable the small manufacturing establishments to contract with the government for cloth for the army, which, under present regulations, he said, they could not do, from its being required too promptly and in too large quantities for their scale of operation, &c.—which made prospective contracts advisable.

The motion was agreed to.

Mr. Condict submitted for consideration the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing by law for the decision of territorial or other controversies between states, in such manner as is authorized by the constitution of the United States.

Mr. *Condict* stated the grounds of his motion, the principal one of which was the unpleasant controversy which has for some time existed between the states of New-York and New-Jersey, on the subject of their respective boundaries.

The resolution was agreed to without opposition or debate.

After some other business, which shall be noticed as necessary in its progress—the order of the day, on the bill making partial appropriations for the military department, was again taken up, and debated at large, and with considerable zeal, on a motion made by Mr. *Butler* to postpone the subject until Tuesday, to allow time for further information, &c. The speakers this day were, Messrs. *Butler*, *Colden*, *Buchanan*, *Cambrelang*, *Smith*, of Md. *Little*, *Burrows*, *Walworth*, *Nelson*, of Md. *McDuffie*, *Floyd*, *Stevenson*, *Gilmer* and *Jones*, of Ten. After which the motion prevailed—ayes 89.

Some proceedings then took place on the bill for the apportionment of representatives under the new census—Mr. *Smith*, of Md. in the chair. Mr. *Campbell*, of Ohio, moved to establish the ratio at 42,000. Mr. *Lowndes* alluded to the want of returns from Kershaw district, S. C. and wished the subject postponed for a while. Mr. *Campbell* urged the necessity of despatch, to allow the state legislatures time to act on the subject, but would not press a hasty decision. Mr. *Moore* stated that there were 15,000 inhabitants in Alabama who had been omitted in the census. Finally, the matter was postponed until Tuesday. After which the house adjourned to Monday.

Monday Jan. 14. Mr. *Sergeant*, from the committee on the judiciary, reported a bill to provide for delivering up persons held to labor or service in any of the states or territories who shall escape into any other state or territory; which was twice read and committed.

Mr. *Rankin*, from the committee on public lands, reported a bill to authorize the state of Illinois to open a canal through the public lands, connecting the Illinois river with lake Michigan, which was twice read and committed.

Mr. *Nelson*, of Md. after adverting to the importance of the subject of the motion which he had laid on the table some days ago, proposing the appointment of a committee to consider the expediency of making appropriations of public lands for the purposes of education in the old states, and to the fact that it had received the approbation of several states, and therefore was entitled to the serious attention of this house, moved that the house should now proceed to the consideration of that motion.

The house agreed to consider it.

Considerable discussion took place as to the method of disposing of the subject, and many amendments were proposed—but nothing important was decided upon.

Tuesday, Jan. 15. Mr. *Cocke* reported a bill supplementary to the act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war, which provides for the restoration of certain persons to the pension list, under certain circumstances—i. e. on furnishing evidence that they are in such indigent circumstances as to be unable to support themselves without the assistance of their country, &c. This bill was twice read and committed.

Mr. *Condict* laid on the table the following resolution:

Resolved, That the president of the United States be requested to communicate to this house such information as he may possess, and which may not be improper to communicate, in respect to

any outrages and abuses committed upon the person of the officers or crews, of the American vessels at the Havana, or other Spanish ports in America; also, whether any measures have been adopted, under Spanish authority, tending to punish, restrain or countenance, either such personal outrages or piratical depredations upon the property of our merchants; also, whether, in the opinion of the president, any further legislative provisions may be necessary to enable the executive more effectually to protect our rights from similar aggressions.

Many other resolutions were submitted and sundry reports received from the different departments, which shall be noticed as needful hereafter.

On motion of Mr. *Mercer*, it was

Resolved, That the committee on the suppression of the slave trade be instructed to inquire whether the laws of the U. States, prohibiting that traffic, have been duly executed, and, if so, into the general effect produced thereby on the trade itself; also, to inquire into and report the defects, if any exist, in the operation of the laws, and to suggest adequate remedies therefor.

Mr. *Nelson*, of Md. withdrew the resolution under discussion yesterday in the house, and, in lieu thereof, offered the following:

Resolved, That each of the United States has an equal right to participate in the benefit of the public lands, the common property of the union.

Resolved, That the states in whose favor congress has not made appropriations of land for the purposes of education, are entitled to such appropriations as will correspond, in a just proportion, with those heretofore made in favor of the other states.

Resolved, That a committee be appointed with instructions to report a bill in pursuance of the foregoing resolutions.

On motion of Mr. *N.* the same were referred to the committee of the whole on the state of the union, and ordered to be printed.

On motion of Mr. *Tracy*, the house then agreed to take into consideration the report of the committee of the whole on the petition of Eli Hart.

The question before the house was upon concurrence with the committee of the whole, in amending the report of the committee on claims, by erasing therefrom the word *not*, so as to grant the prayer of the petition.

[Mr. *Tracy*, in support of the amendment, gave a brief history of the case. It appeared that John G. Camp, deputy quartermaster-general on the Niagara frontier, in 1814, being in want of funds, had applied to Eli Hart for the loan of 16,000 dollars to furnish supplies for the army of the U. States. The money was obtained and applied, and the principal returned to Mr. Hart in treasury notes in the following year, who puts in a claim for interest on the money loaned and damages sustained by the depreciation of the said notes, which Mr. *Tracy* thought him fairly entitled to receive. Mr. *Williams*, chairman of the committee of claims, opposed a concurrence with the motion, at length. He urged the necessity of uniform rules in such cases, and thought the present claim had nothing in it to justify a departure from the rules which had been found necessary to guard the treasury from the imposition and cupidity of individuals. Mr. *Smith*, of Md. advocated the claim—he thought that the patriotism of the petitioner entitled him to consideration. Mr. *Tracy* replied to Mr. *Williams*. Mr. *Hardin* spoke in opposition to the claim—the affair was between Hart and Camp—the latter could not pledge the national faith, and there was an outstanding balance against him reported by the third auditor of the treasury. He considered that Hart's claim was, in reality, only made use of for the benefit of Camp. He was opposed to all the allowances asked, and especially to admitting a depreciation of the governmental currency. Finally, the report was re-committed to the committee of claims, to examine and report the facts in the case.]

After which, the house adjourned.

Wednesday, Jan. 16. Mr. *Floyd* laid upon the table the following resolution:

Resolved, That the president of the United States be requested to cause to be laid before this house all the correspondence which led to the treaty of Ghent, which has not yet been made public.

and which, in his opinion, it may not be improper to disclose. [Substantially agreed to next day.]

A good deal of minor business was attended to. A long debate took place on fixing the salary of the district judge of Missouri—it was determined that it should be 1200 dollars a year.

Thursday Jan. 17. After disposing of sundry resolutions, &c. the house proceeded to consider the bill to fix the ratio of representation. We shall notice the proceedings more at length hereafter—it was proposed to place it at 75,000, 55,000, 52,000, and at every thousand between 50 and 35 inclusive of both. Some debate took place—the question was taken on several of the numbers; that on 45,000 was the nearest being carried, ayes 67 noes 80, except 42,000, which was agreed to, 81 to 73. The committee then rose and reported the bill to the house, by which it was immediately taken up, when a debate commenced, that was cut short for the present by postponing the bill until next Monday week—ayes 91.

CHRONICLE.

The Florida commissioners are now in session at Washington, and busily engaged in proceedings on the claims arising under the late treaty with Spain.

Col. *Trumbull's* picture of the surrender of general Burgoyne with his army to the United States' forces, under the command of general Gates, in October, 1777, has been placed in the room of the academy of fine arts, in New-York, for exhibition, previously to its being carried to the seat of government. This is the third of the series of paintings, undertaken by this distinguished artist, under the authority of the national government, the whole of which are to be placed in the capitol at the city of Washington.

Piracy. Eight seamen that belonged to the sloop Hiram, convicted of piracy, have been sentenced to death at Savannah.

Bold counterfeiters. Bills on the Phoenix bank of New-York, of the denomination of 500 dollars, have been put forth by the counterfeiters, and, in every part, executed in the most masterly manner—so much so, that the bank has promptly resolved to draw all its 500 dollar notes out of circulation. Fifty dollar bills, as if of the bank of the United States, have also appeared—so well done as to deceive the most expert money-changers—they are of letter B, dated 1st January, 1817, and the paper is somewhat thicker than the genuine bills of that date.

Bank of the U. S. The following are the directors of this institution for the year 1822: appointed by the president and senate—Langdon Cheves, Pierce Butler and John Connelly, of Philadelphia, Charles E. Dudley, of New York, and James Wilson, of Baltimore. Recently elected by the stockholders—Thomas M. Willing, Samuel Wetherill, Silas E. Weir, James C. Fisher, Thomass P. Cope; Henry Pratt, John Coulter, Robert Flemming, Joshua Lippincott, John Boffen, Dannel M. Cox, R. M. Whitney, and Chas. Brugiere, of Philadelphia; Simon Maywood, of South Carolina; William Patterson, and Robert Gilmore, Jr. of Maryland; Cornelius Ray, and Benjamin W. Rogers, of New York; David Sears and Benjamin W. Crownshield, of Massachusetts.

And at a meeting of the directors, held at the banking house, on the 9th inst. *Langdon Cheves*, esq. was unanimously elected president for the ensuing year.

Dividends. The bank of the United States has declared a dividend of two per cent. for the last six months—so the people of the United States

only lose the sum of thirty five thousand dollars for that period, as stockholders in the institution—five per cent being the interest that we pay on our stock which forms a part of its capital.

Delaware. C. A. Rodney, now a representative in congress, has been elected a senator of the United States from that state, for 6 years; from the 4th of March last.

Boston. The people of this town have recently been much agitated with a proposition to change its form of government, &c. into that of a city. It was submitted to vote on the 7th inst. and a change determined on by a majority of 7 or 800 votes.

Maine. It appears that there are, at present, 131 congregational churches in Maine; 62 of which have no settled minister; 161 churches of Calvinistic baptists; 35 societies of Friends or Quakers; 27 circuits of Methodists, comprising 6,192 members, and employing 102 preachers. The Christian society employ 18 ordained elders, and have twenty-three churches.

Salvage. In the case of capt. Kearney, officers and crew, brought before the district court of South Carolina, concerning the amount of salvage they were entitled to for the capture of the piratical vessel lately brought in, judge Drayton decided that their proportion was one half of the net proceeds of the vessels, and one quarter of the proceeds of the cargo.

Columbian college. At this institution, recently founded at Washington City, the faculty was inaugurated, with much solemnity, on the 9th instant. The rev. Dr. William Staughton is president; Josiah Meigs, esq. professor of experimental philosophy; the rev. Ira Chase, A. M. professor of the learned languages; the rev. Alva Woods, A. M. professor of mathematics and natural philosophy; Thomas Sewall, M. D. professor of anatomy and physiology; James M. Staughton, M. D. professor of chemistry and geology; and the rev. Rufus Babcock, A. B. tutor. The installation was followed by an eloquent address by the president.

Horrid murder. A party of United States surveyors, consisting of ten persons, were, with one exception, lately murdered by some Indians of the Choctaw nation, about 150 miles from Port Gibson. The quarrel, it is said, originated in consequence of some trivial affair.

Died, recently, at Westmoreland, N. H. Mrs. Azubah Aldrich, relict of the late gen. George Aldrich, aged 77. Mrs. A. was one of three surviving inhabitants of Westmoreland, who repaired to the Fort on the Great Meadows, in Putney, in 1765, and continued in it five years, or during the existence of the French war. We, at this day, have but faint notions of the sufferings and hardships of the early settlers of these then frontier towns.

Good. On new year's day, the Schenectady Cabinet says "not a single person was confined within the walls of the prison of that county, neither in the debtors' or criminals' apartments. On that day the doors were all thrown open to air the rooms, and may they long remain so. I hope the old adage will not be verified—"a good beginning makes a bad ending."

Book-keeping by double entry.—Mr. Nimms, in his history of Shropshire, in Scotland, informs us, that when writing was a rare accomplishment, the old treasurer of the town of Sterling kept his accounts in the following singular method:—He hung up two boots, one on each side of the chimney; and in one he put all the money he received, and in the other all receipts or vouchers for the money he paid; at the end of the year, or when ever

he wanted to make up his accounts, he emptied the boots, and by counting their several and respective contents, he was enabled to make a balance, perhaps with as much regularity and as little trouble as any book-keeper in the kingdom.

[Union.]

Hamburg, S. C. This is a new town on the Savannah river, opposite Augusta, Georgia, to which it seems to be intended as a rival in the country trade. The chief proprietor and builder is a Mr. Schultz. Since the 2d of July last, 84 houses, of various kinds have been built, and upwards of 200 white inhabitants collected at the town—and, between the 29th of Oct. and the 1st of Dec. 3,600 bags of cotton were ware-housed therein. Mr. Schultz, who is called "a manufacturer of cities," is still proceeding as rapidly with his improvements as ever.

Missouri. The citizens of St. Louis were lately gratified with the arrival of several flat-bottomed boats, laden with produce, from the country up the Missouri, the *Boons-lick* settlements, bound for New Orleans. They are the first boats that had started on this trade and navigation; but it is a commerce which, no doubt, will soon become extensive. Tobacco, it is thought, will be the great staple of the southern part of the state of Missouri.

Butchers' stalls. A few days since the Butchers' stalls in Fulton market, (N. Y.), 87 in number, were sold at public auction, for five years, at a yearly rental of 18,865 dollars. The highest yearly rent for one stall is 480 dollars, and the lowest yearly rent is 115 dollars.

Shipping at New-York. On the 1st instant there were lying in the port of New-York, 68 American, and 1 each, British, Russian, Hamburg and Swedish ships—total 72: 49 American, 5 British, 1 each, Dutch, Danish and Spanish brigs—total 57: 32 schooners and 179 sloops—also, six steam boats.

At the same time there were building seven ships and two brigs—one of the ships of 600, and another of 500 tons.

There arrived at New-York from foreign ports, during the year 1821, just ended, 912 vessels—viz. 260 ships, 4 barques, 315 brigs, 287 schooners, 2 Ketches and 44 sloops: of all which 49 were British, 3 French, 3 Swedish, 6 Danish, 6 Dutch, 4 Hamburg, 1 Russian, 1 Prussian, 3 Bremen, 4 Haytien—the rest, 832, were American. In all these vessels there came 4,452 passengers.

BATIMORE. Report of interments for the year ending on the 31st of December, 1821:

	Males.	Females.	Total.	Colored.
January	72	43	115	35
February	72	73	145	40
March	35	39	74	22
April	65	51	116	26
May	56	40	96	20
June	58	33	91	16
July	120	87	207	52
August	161	128	289	53
September	170	121	291	53
October	155	112	267	27
November	93	79	172	38
December	87	65	152	41
	1144	871	2015	423

Of the following ages—Stillborn, 105; under one year 323; between 1 and 2, 134; 2 and 5 and 116; 5 and 10, 87; 10 and 21, 170; 21 and 30, 247; 30 and

40, 283; 40 and 50, 228; 50 and 60, 134; 60 and 70, 83; 70 and 80, 48; 80 and 90, 37; 90 and 100, 15, over 100, 5—total 2015.

Chief diseases. Apoplexy 24; casualties 21; child-bed 21; cholera infantum 197; convulsions 84; croup 48; decay 24; drowned 30; dysentery 41; dropsy 35; do. in the head 31; fever—bilious 156; typhus 33, malignant 173; intemperance 47; inflammation of the brain 22; liver complaint 20; old age 93; pleurisy 30; *small pox* 21; still born 105; whooping cough 28; worms 21; all others under 20 in number.

Maryland. A statement shewing the number of arms belonging to the state and the respective places of deposit:

	Muskets.	Rifles.	Pistols.	Swords.	Cannon.
	23,034	90	1405	2196	59
Places in which arms are deposited—					
Annapolis,	Muskets. 4031	Rifles. 61	Pistols. 117	Swords. 637	Cannon. 9
Easton,	3400	—	272	291	16
Frederick,	1645	—	—	—	—
	9076	61	389	928	25

NINIAN PINKNEY, Clerk of the council.

Justices of the Peace.

Counties.		Counties.	
St. Mary's	45	Charles	44
Calvert	27	Anne Arundel	79
Prince George's	64	Washington	46
Montgomery	66	Frederick	131
Alleghany	45	Baltimore	208
Harford	61	Cecil	63
Kent	44	Queen Anne's	58
Caroline	30	Talbot	38
Dorchester	57	Somerset	53
Worcester	67		

The whole number in the state is 1226

NINIAN PINKNEY, Clerk of the council.

Tobacco and cotton. Statement of the quantity of tobacco exported from the U. States to foreign countries, during the year ending on the 30th Sept. 1821:

Ports.	Hhds.	Ports	Hhds.
Portsmouth	29	Sackett's Harbor	1
Passamaquoddy	47	Perth Amboy	86
Waldoborough	12	Burlington	15
Portland	161	Philadelphia	2777
Kennebunk	220	Baltimore	11335
Newburyport	200	Nottingham	676
Gloucester	140	Georgetown	2943
Salem	99	Alexandria	5364
Marblehead	171	Norfolk	1343
Boston	2847	Petersburg	8634
Barnstable	6	Richmond	12398
Plymouth	57	Rappahannock	32
Edgartown	14	East River	8
New Bedford	9	Wilmington, N. C.	149
Newport	52	Newbern	19
Bristol	20	Ocracock	6
Providence	534	Charleston	191
New London	29	Savannah	384
Middletown	29	New Orleans	12915
New Haven	31	Mobile	10
Fairfield	18	Annapolis	426
New York	3239		
Champlain	48	Total	67,764
Oswegatche	30		

COTTON—Sea Island 11,344,066
Upland 113,549,339

Total 124,893,405 lbs.

NILES' WEEKLY REGISTER.

NEW SERIES. No. 22—VOL. IX.] BALTIMORE, JAN. 26, 1822. [No. 22—VOL. XXI. WHOLE No. 542

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

REVOLUTIONARY HISTORY. In conformity with the leading purpose of the REGISTER, we feel much pleasure in spreading before our readers and the public, the statement and documents furnished by president MADISON, in relation to the proceedings had during the revolution as to the navigation of the Mississippi.

TANNER'S ATLAS. We have before noticed this elegant work publishing at Philadelphia—and learn that the fourth number, containing a splendid four-sheet map of North America, shewing the results of the late surveys for fixing the northern boundary of the United States, and the recent discoveries of gov. Cass, major Long, &c. is nearly ready for delivery.

LAW MAGAZINE. A new work, to be entitled the "Law Magazine and Civilian's Journal," to be edited by an association of several gentlemen of the bar in Connecticut and in the city of New York, is proposed to be published at New Haven, by Gray and Jewitt. It is to contain biographical sketches of eminent law characters—opinions, criticisms, reports, adjudged points, digests, laws, and all such matters as shall be deemed important to lawyers and statesmen. It is to be published in large 8vo. to be issued monthly, and make a volume of 600 pages per annum, for which a title page and table of contents will be furnished, at the rate of four dollars a year.

PATENTS. We have a list of the patents issued during the year 1821, for new and useful arts or machines, manufactures or compositions of matter, or improvements thereon. The amount is nearly two hundred. The greater part are for supposed improvements.

THE CENSUS. We now present our readers with an extensive view of the facts ascertained by the late census, and also exhibit a comparative view of the enumerations of 1790, 1800, 1810 and 1820.—The labor necessary to make condensations to shew the progress of population in the states, by counties, will considerably delay the series of tables that we intend to publish.

There is one thing to which we desire to invite your attention; that is, the important view presented of the manufactures of our country from the amount of persons engaged in them; which justifies the arrangement of interests thus—*agriculture, manufactures and commerce*; the latter employing only about one fifth of the persons engaged in the preceding; though, by direction of the secretary of state, household manufacturers are not included—each class designating only the persons engaged by "actual occupation" in the several branches of industry.

Persons engaged in agriculture	2,065,499
manufactures	349,247
commerce	72,367

The whole number of slaves is	1,531,436
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From the data thus furnished, some curious calculations might be formed of the amount of free industry applied to the different interests, and the act surely be made to appear, that manufactures

are more worthy the *protection* of government than commerce. The statute book is filled with defences of the latter, but the former has been "let alone," and seems happily about to triumph over domestic prejudice and foreign competition; and if in this the people succeed, they will not have any thing to thank their government for. Not one step has been taken to protect or defend them.—We shall soon shew some of the millions that have been directly voted away and expended for the protection of commerce. Let all be protected, we say—but "equality is equity and conformity is justice."

NAVY PENSION FUND. We have a copy of a letter from the secretary of the navy, transmitting sundry statements in relation to the navy pension fund, laid before the house of representatives on the 9th inst. The following brief abstract of its contents, appears to take in all that is necessary for general use.

On the 31st Dec. 1821, the U. S. stocks belonging to the fund, amounted to 762,792 dollars and 5 cents, and it possessed in stocks of certain banks in the district the sum of \$129,103 10, at the cost thereof. The warrants drawn for the payment of pensioners during the year amounted to \$64,881; of which \$44,488 was distributed among 491 wounded or disabled officers and seamen and marines, or to the widows or orphans of such, pensioned by acts of congress. The highest rate of pension paid is 600 dollars a year, the lowest 36—but most are at 72, 96, or 108.

"**IT WILL GO ON.**" It appears that the ladies at Washington, Pennsylvania, have recently established a school, to be under their immediate care and superintendence. After a public examination of the pupils, Mrs. Katherine Duane Morgan, delivered an address which would have done honor to a matron in the best of days of Greece or Rome. We intend to have the pleasure of recording it at a season of more leisure than the present. Its leading purposes were to encourage a virtuous life, promote instruction, infuse a love of country, and excite all present to industrious habits and the consumption of domestic manufactures, that the independence of the United States may be consummated; and the fair speaker dwelt particularly on the power of mothers to effect all these things. After the address, the following resolutions were submitted, unanimously approved, and signed by *one hundred and eighteen ladies* present.

"Convinced that the encouragement of *domestic manufactures*, is indispensable to the substantial interests, the permanent welfare, and the real independence of the United States, and believing that a single act, will conduce more towards the accomplishment of those invaluable objects, than ten thousand inconclusive professions:

Therefore, *Resolved*, That we, the undersigned, will henceforward, confine our purchases, for the apparel of ourselves and families, to articles manufactured within the United States.

And not doubting, that these all important ends may be farther promoted—a check given to the destructive extravagance which reigns even in the

very poorest of our cabins, and multitudes withheld, or converted from vice, by the encouragement of learning and by an extension of support to American manufactures, beyond the walls of our immediate households:

Therefore, *Resolved*, That we will employ only such persons to spin, sew, knit and weave, as will clothe themselves and families, exclusively in homespun; and appropriate a portion of the money arising from those labors, to the education their children, or other relatives.

If this spirit continues to prevail at Washington, we venture to say, that a certain article of "domestic manufacture" of that place, will become greatly in demand—we mean young ladies to be turned into the wives of intelligent and worthy men. Women thus brought up cannot be rendered breeders of slaves.

NEXT PRESIDENT. We have briefly noticed the *hub-bub* that was raised at Washington, by the very modest *would-be-manufacturers* of a president of the United States, after Mr. Monroe's period of service shall have expired, which will be in the year of our Lord one thousand eight hundred and twenty-five. "Pretty work for eight dollars a day!"

It is not probable that any attempt will be made in the *Register* to bias the mind of an individual in the matter before us—but the editor, as a private citizen, has as much right to the free exercise of his opinion as any *Solomon* in congress or elsewhere; and will exercise it, when made acquainted with the views of the candidates. The former landmarks have been destroyed, and the great measures of policy with which gentlemen will be guided, if elected to the presidency, are left to speculative opinions and indefinite presumptions.

The following are the names of those put forth as candidates, placed in alphabetical order: *John Quincy Adams*, of Massachusetts, secretary of state; *John C. Calhoun*, of South Carolina, secretary of war; *Henry Clay*, of Kentucky; late speaker of the house of representatives; *De Witt Clinton*, governor of New-York; *William H. Crawford*, of Georgia, secretary of the treasury; *William Lowndes*, of South Carolina, member of the house of representatives; *Smith Thompson*, of New-York, secretary of the navy; and *Daniel D. Tompkins*, of the same state, vice president of the United States. One or two others are casually spoken of—but the number of candidates may be put down at *eight*; four of whom are already in the executive government. Each person has his friends; and so it follows, that the friend of *one* is the opponent of *seven*—hence, many things have been said that ought not to have been said; and the people should be very cautious in receiving what is related by the partizans of either of the gentlemen, as truth—if tending to depreciate the character of a rival. It is said that "all jokes are free in harvest;" and, among electioneering whippers-in, it seems as if any deception was allowable at the time of an election: the practice of which has much increased within a few years past. I intended here to have stated what the friends and opponents of the different candidates urge for or against them; but shall, at least, defer it; for the proceeding might lead to discussions of no profit just now. The people are not yet ready to determine who shall be their next president—it would be wrong for them to do it so much in advance; for events may take place, and probably must come to pass, in the ensuing two years, that will develop the character and ascertain the pretensions of most of those who are put

forward as candidates. Let us wait patiently the operation of truth; and, in the mean time, do all that we can to *sink* the bawlers and brawlers for this man or that man.

There is one matter about which I mean to express my opinion decisively—which is, the assumption of a power in congress, by means of that dirty thing which is called a *caucus*, to direct the votes of the people in the selection of a president: and I have understood that a disposition existed in some even to exert this power at the present session! To render the practice infamous, I would hope that such a *caucus* should be held, if I could desire the disgrace of so many men that I would rather respect and esteem.

Whenever certain sets of *principles* are to be supported or opposed, a *caucus* may be tolerated as the means of extinguishing personal views and promoting union among the adherents or opponents of such sets of principles; but when a *caucus* is got up to act in favor of an *individual*, separated from the consideration of any peculiar principles which he professes, there is nothing that ought to be more detested by a free reflecting people. When men are called upon to vote, and the object which they hope to accomplish is ascertained, the person, the *lump of clay*, voted for, is disregarded, save only how far he has strength and talents to maintain what he stands pledged to perform, if he can; but when others, as mere *individuals*, and on individual account, are to be put up or put down, because they will discharge *Tom* from office and give *Dick* an opportunity to live on the public—Pendemonium itself cannot furnish a more perfect picture of depravity than such a *caucus* presents;—lying, swindling and "bearing false witness," are the ministers that preside over its deliberations; truth is kicked out of doors and decency trampled under foot. The chiefs of parties, who are all to be made great officers in case of success, vitiate and are vitiated by one another. They enter into compacts like the bandits of the *Appenines*; and, true to each other while plunder is a-head, they most generally murder the character of their fellows on a division of the spoil. To gain converts and obtain strength, they present themselves like painted strumpets,—who, with bosoms bare and looks enticing, stand at the portal to tempt men to sin. Meanness is virtue!—a liar an "honest fellow!"—to cheat a man of talents!—and bribery is called "management!" This is not the "coinage of my brain," but a just representation of a *caucus* got up by office-holders and office-seekers to favor individuals; and there is not an active electioneering character in the United States, of any party, that will not pronounce it to be so. But more especially is such a *caucus* to be deprecated if held by members of congress, at a time when the heads of departments are among the candidates to be intrigued for; because, in addition to all else that is bad, a prostitution takes place of the very worst character—the people's business is either neglected, or made to bend to the advancement of a favorite, and the degradation of all his rivals—right or wrong. The practice is not only injurious, but absolutely dangerous to the liberties of the country. "As my soul liveth," I would rather learn that the halls of congress were converted into common brothels, than that *caucuses* of the description stated should be held in them: I would rather that the sovereignty of these states should be re-transferred to England, than that the people should be bound to submit to the dictates of such an assemblage. But the people will

not so succumb to office-hunters; and there is a stern majority of honest men in congress that will annihilate every attempt to force them to their own ruin. I have much faith in the discretion of the present congress—but if, unfortunately, the representatives of the people should slide into the business of *president-making*, I promise this, even if I stand alone, that, “with all my heart, and all my mind, and all my strength,” I will oppose the re-election or future advancement of any member of congress within the control of my vote or influence, who shall participate in such a caucus as I have designated, and do all in my power to render him a political outcast, that I can. This is plain English; and I am greatly mistaken, indeed, if it is not the sentiment of the great mass of the American people, as to the matter just stated. They feel that they are able to judge for themselves; they do not want a master, to direct them how they shall vote!

POSTMASTER AT ALBANY. We have rarely met with a small matter that has made so great a “noise in the papers” and among the people of the state of New York, especially, as the dismissal of Mr. *Solomon Southwick*, and the appointment of gen. *Solomon Van Rensselaer*, as deputy post-master at Albany; and a statement of the case, with some general remarks on the subject, may not be unacceptable to our readers.

A few days before his dismissal, Mr. *Southwick* announced the fact, that attempts were making to remove him—on the ground by some, that he was a defaulter; by others, that he did not attend to the duties of his office in person. He indignantly rejected the former accusation, and entered into a detail to shew that he was not remiss as to the latter—and, indeed, it appears that the business of the office was well conducted in regard to the public accommodation, let it have been managed by whom it may. Mr. S. proceeded to intimate that the hostility against him might have been caused by the acts of some of his friends, who had designated him as a candidate for the executive chair of the state—but said, that he would not exchange “the title of editor of the *Plough Boy* for that of governor of New York,” &c. Still, we see it stated in a letter published in the *Franklin Gazette*, that he had worn out the patience of the post-master general by repeated delays to settle up his accounts, and that his removal was determined upon for that reason, without any special view as to his successor: and then, it is added, that twenty members of the New York delegation in congress united in a request that gen. *Van Rensselaer* (also a member), should be appointed to the place. To his name, it is stated, the vice president and the two senators from New York, opposed that of the late chancellor *Lansing*, without effect. It is understood that appointments of post-masters, when their salaries or emoluments amount to 1000 dollars, or upwards, a year, are made by the president with the advice of his secretaries, forming what is called the “cabinet,” and that, in the present case, the nomination of gen. *Van Rensselaer* was opposed only by the secretary of the navy, on account of his politics—but that the attorney general said “there was no longer any politics,” and so the appointment was made *nem. con.* Another report denies the truth of the preceding, and declares that Mr. *Wirt* never said any such a thing, &c.

Gen. *Van Rensselaer* is spoken of as a “decisive federalist.” The leading “republican” papers in New York, especially the *National Advocate* and

Albany Argus, abound with remarks on his appointment, as “unexpected,” “unwelcome” and “disgusting”—and say that the news of it excited “indignation, open and undisguised,” &c. The *Argus* says the general “has always been a violent opposer of the republican party—republican men and republican measures, have at all times been assailed by him with the most bitter and acrimonious hostility.” But the succession is highly extolled by the *New York Evening Post*, and other papers of its class of politics.* There is no exultation, however, at the removal of Mr. *Southwick*—nor is much regret expressed; though he must have many warm friends, we should suppose, in New York. From very humble beginnings, he had forced his way to a most respectable standing; and, as editor of the *Albany Register* in 1798 and succeeding years, discharged his duties to the “republican” party with a zeal and ability second to no other in the nation. The last *Argus* received throws the whole blame of the appointment of gen. *Van Rensselaer* on the P. M. general—saying that he obstinately refused to allow the delay of a fortnight to afford time for a communication from Albany on the subject—that he declared that, to his department of the government, the character of a consistent and uniform republican was no recommendation,” &c. In conclusion adding, that gen. *Van Rensselaer* “having chosen to connect his political fortunes with the opponents of the republican party, it will hardly be contended by any one, that it was consistent or right for the head of a department of a republican administration, to bestow on him an appointment, which will enable him more efficiently and successfully to contend against those who have reared, and who are now the supporters of that administration.”

Such are the circumstances of the case and the amount of what is said about it—we do not mean to take any part whatsoever in it, or attempt to appreciate the motives that belong to it, except relatively, and without reference to its peculiar merits. But we apprehend that this appointment will be as a new “apple of discord” thrown into the state of New York.

There is one thing, however, appertaining to this appointment, the practice of which we shall not

*The *Salem Gazette* thus noticed the appointment: “Birnam-wood moving to Dunsinane.”

“We live in an age of wonders—federalists appointed to office—the Catholics emancipated by George IV.—and the inquisition overthrown at Lisbon without an earthquake!”

“The hon. *Solomon Van Rensselaer*, a federalist of the old school, has just been appointed postmaster at Albany, vice *Solomon Southwick*, esq. a democrat, removed.”

On which the *Boston Statesman* remarks—

“If such articles, from such quarters, suit the palates of the cabinet at Washington, why let them go on and turn out every man whose exertions have been instrumental in placing them in the high and responsible stations they occupy. By a perseverance in this policy they may buy the approbation of the Essex Junto—but will they deserve the confidence of republicans?”

†Our friends of the *Argus*, we apprehend, are wrong in blaming the Postmaster general, if blame is due either for the appointment of gen. *Van Rensselaer*, or for the time or manner of it. We venture not much in saying that, in respect to it, he was simply the agent of a higher power—the executive.

Ed. Rsd.

cease to condemn as long as the liberty of speech and of the press remains to us—it is the transformation of a member of congress into a deputy postmaster! Against such practices we have always severely protested—for they are of the most dangerous tendency. We agree with the *Richmond Enquirer*, that his condition, as a representative of the people, was an “unanswerable objection” to the appointment of general Van Rensselaer.* Certain great and important offices, it may be, are best filled by selecting persons of experience in the business of the nation, acquired in congress—but the idea of *vacating the seats of members*, to make them *collectors, receivers and deputy postmasters*, is of too corrupting a quality to be indulged in for a moment. We do not mean to insinuate that the present administration has thus exerted its power to diffuse the “loaves and fishes” with improper views, or by way of bribery; for, confidence in the honor of the government apart from all other considerations, it has not ever appeared that such a proceeding could have been thought necessary to support it—but it must be observed that such things are becoming quite frequent, and we may well ask, where are they to stop? What is it but the prevalence of this practice, on a greater scale and with more immediate application, which has rendered the British parliament what it is—the grand receptacle of the *lick-spittles* of the united kingdoms, who sell their *eyes and noses* with as much indifference as *sheep's heads* are disposed of in the common market? And why may it not as easily be the business of some agent in congress to *dragoon* expectants, as it is the usage of British ministers to *direct* the consciences of the possessors of office?—lash their want of zeal, and drive them “*up to the hub*” through the slough of subserviency and mud of meanness? And, if any will not depend on promises, and appear likely to become “troublesome,” what is to be done but to throw a sop to him as to a dog, and so prevent his giving the alarm or biting an intruder on the rights and interests of the people? And again—if this practice is to become common, who are they that will intrigue and coax and seduce individuals to get them themselves elected to congress? The answer is easy—*men chiefly that intend to sell themselves and their constituents*, on the first eligible offer. Republican governments were instituted for the great purposes of repressing selfishness and keeping down inordinate ambition—and their object must needs fail when the powers delegated by the people, for their own benefit, are diverted to the private views of those selected to exert them: and it is particularly to be regretted that the executive should interfere with the representative branch of the government—sinking its

members into favorites, and withering and blasting them as public paupers, placemen and pensioners.

Reserving to a future opportunity a body of remarks on the present condition of the United States, as to office-holders and office-seekers, (for the progress of such persons is not a little alarming), we shall close this article with a few observations on the person appointed deputy postmaster at Albany. It seems agreed, and, no doubt, is the fact, that gen. Van Rensselaer is capable of performing the *arduous* duties of his office—but will he assist in or superintend the opening and closing of the mails, and see that all things are done rightly? Would the late chancellor Lansing, also named for the office, have attended personally to these things, had he been appointed? This is the question. I take it for granted that the design of government in giving liberal salaries, is to secure the *personal services* of individuals well qualified to *do the public business*; but, when the affairs of an office are wholly conducted by irresponsible persons, and the chief concern of the principal is to receive the profits, holding his place as a *sinecure*, the public good requires that he should be dismissed at once, as an unfaithful servant, no matter if the business appears to be decently transacted. Personal attentions should be rendered by every public officer in the receipt of the public money—but such attention is especially necessary in the post-office department, on account of the irresponsible nature of its concerns. In it, the most egregious blunders and rankest acts of carelessness, may long prevail without the possibility of detecting them—so the head of the office, bountifully paid to render him attentive, should be attentive to the well conducting of the matters confided to him. But this is a sort of *drudgery* that too few persons are willing to submit to—they like the emolument very well, but seemingly despise the means by which it ought to accrue. We fervently hope that the person just appointed to office, is not too much of a *gentleman* to attend to its duties, as too many officers, of various descriptions, appear now to be! Mr. Randolph, (in a late speech on the bill reported by the committee of ways and means, for advancing 100,000 dollars for the service of the Indian department in the present year, though it turned out that 70,000 were wanted to cover the excess of the expenditure over the appropriation for that service in the last year), having occasion to define what *dignity* was, said, in own peculiar way, that the “dignity of the secretary of war was to obey the orders of the house of representatives:” and, carrying on the idea, it may safely be said, *that it is the conduct of a gentleman to perform the duties for which he is paid*.

These remarks are not personal, though some may think that they directly apply to individuals at Washington and elsewhere; we mean only to enforce the idea, that the most expensive of all *charities* are those which are bestowed by appointing persons to office, not so much because they can or will *perform the duties* belonging thereto, as for the purpose of giving them a living at the public expense. A sound economy would teach us to *pension* such favorites at once, openly and above-board; and, if this practice prevailed, we should save uncounted thousands every year by it—even in the article of *clerk hire and et ceteras*—“thread, tape, buckram and buttons.” When we receive a copy of the “*red book*,” or “*blue book*,” as it is called, according to the manner in which it is bound, we may more particularly notice these things. If a great reformation cannot be effected, there will soon be a fearful destruction. Let those inter-

*The same paper, in another article on the subject, says—“Some of the newspapers have seized upon the strong objection, that his successor was a member of congress at the time of his appointment. We should be happy indeed, if the weight of public sentiment, on this occasion, could arrest the practice. It is too much that the representatives of the people should watch the beck or nod of executive officers—and even be paid off by a tempting bait from the postmaster general. If the executive will not keep off their hands from the representatives of the people; if they will go on thus tempting them to desert their posts, or yielding to their solicitations, in cases where the ministerial office could be equally as well filled by a third sand others, it is time for the people to speak out.”

rested look to it. The treasury is beggared, and the people will not pay taxes to support useless and unprofitable officers much longer.

POPULATION—TO THE EDITOR.

SIR—In one of the late numbers of the REGISTER, you promised that, when all the returns of the population of the states were received, you would publish them, together with many statistical tables, the heads of which were already sketched out. Among those proposed, permit me to request your attention to one of a very curious character in a physiological and philosophical view of human life;—*the proportion of males to females in different latitudes*. For the successful investigation of this subject, your *peculiar talents* and opportunities eminently qualify you.* As far as I know, the subject on a large scale has never been examined; and, in the hope that, if my suspicion of the effect of climate on the relative proportion of the sexes be correct, you will be able to estimate the *quantity of that effect* in the United States, I earnestly solicit your attention to it.

It is commonly believed and stated by statistical writers, that the number of males exceeds that of females by a sensible amount, estimated by different persons, from a *thirteenth to a fortieth* of the whole human race. Facts in confirmation of this opinion, with regard to most countries of Europe, are abundant; and in our own, the census for 1790 affords a striking proof of the general excess of males in northern latitudes. In all the states, the males were more numerous, except in Massachusetts, Rhode Island and Connecticut; which exceptions were obviously caused by large and frequent migrations of males (principally), to other states. The quantity of the excess on the side of males was found to vary within very narrow limits: Thus, in New Jersey, where the numbers of the sexes were nearest equality, the proportion of males to females was as 16 2 3 to 16, or as 100 to 96; whilst in New York, where the disparity was greatest, the proportion was as 16 2 3 to 15 2 3, or as 100 to 94.—In Pennsylvania, as 16 2 3 to 15 4 5; in Maryland, as 16 2 3 to 15 3 4;—in Virginia, as 16 2 3 to 15 3 4. These proportions can be assumed as correct in the middle states alone, where the population was, even in 1790, in a great degree, indigenous. For in Kentucky and other new settlements, in consequence of the immigration of many unmarried enterprising men, the proportion of males to females was as high as 10 to 9. We may, however, safely state the proportion of males to females, in the middle states, and of an *indigenous population*, to be as 16 2 3 to 15 3 4, or as 1000 to 945. (*Calculations from census of 1790 as given by Morse.*)

The final cause of this arrangement of the sexes would seem to be to supply the loss to which the male portion of the species is liable by war and other hazardous occupations in which it alone can engage. This doctrine however, tho' supported by facts in northern countries, seems unwarranted with respect to the whole globe. Several travellers in the southern regions of Asia and in Africa, are of opinion that the converse of the usual statement is *there true*. Bruce, whose veracity on many points, (once denied and ridiculed), has been established by many recent travellers (particularly Lord Valentia), states that, in Arabia, generally, the females greatly exceed in number the males. At first he thought the great number of female chil-

dren that he saw was accidental; but, by frequently observing the same excess in the houses he happened to enter, he was induced to make extensive inquiries, and was led to the conclusion that the proportion of females to males, throughout Arabia, was as *four to one*. Whereupon he compliments highly the political sagacity and foresight of Mahomet in permitting polygamy. Whether this astonishing difference may not be attributable to the *institution of polygamy itself*, it would now be impossible to determine. We know not the relative number of the sexes before that institution, and little of the state of society; but it seems impossible that where polygamy is practised, the population could be maintained without this disparity. The reason need not be assigned. Humboldt, likewise, in one of his works, speaks of the excess of females among the natives of South America. I have it not at hand and am unable to quote his statement. We have, however, equally good and more explicit authority for believing that climate affects the relative proportion of the sexes. Mr. Fodere, the author of *Traité de Médecine Légale*, (a work filled with facts of the most instructive kind), states that *"the number of male children born in France exceeds that of female as well in the southern as in the northern departments"*. This, tho' he does not develop it at large, implies his belief in the influence of temperature. He adds that *"M. Colchen has found that a forty-eighth more males, in proportion to the population, is born in the department of Moselle than in that of Montpellier"*. "Nature, however," says M. Fodere, "has provided that an equality of numbers (nearly), shall subsist. So in the department of Moselle a 21st part more of females dies than of males; whilst in the southern departments I have found that more males than females die nearly in the proportion of the births—so that nature equalizes the sexes by taking away females when they are in smaller number, and by removing males where their proportion is least. A strange way of effecting her purpose. For, if we suppose the sexes *equal* in the department of Montpellier, then, by his statement, there will be 1 48 more males in the department of Moselle; and as 1 21 more females than males dies in the department of Moselle, there must be an excess of males of more than 1 15 in the north.—But as there are *more males than females in the southern departments*, (say 1 30), then the excess of males in the north will be more than 1 10. Possibly there may be an error in the statement, (the transposition of northern and southern departments), yet as the author does not illustrate his opinion in his usual manner, by facts and tables, we are justified in suspecting that certain theoretical notions of equality have biased his judgment on this subject. Nature can make no such awkward calculations; first in creating an inequality between the sexes, and then effecting little local deductions from one or the other side, to rectify her work. We may, therefore, with certainty, conclude, from the testimony of M. Fodere, that there is an *excess of males in France, northern and southern*, and that this excess is *less in the southern than northern departments*; and that this difference is solely attributable to the silent and unseen, though sure and inevitable, influence of climate upon the operations and modifications of nature. Accidental births or deaths could, in no wise, affect the general estimate of a series of observations instituted over a surface of several thousand square miles, and continued during twenty or thirty years.

The last census of the United States will afford data for the solution of this problem. Extending

*See note at the end.

from the 30th to the 48th of north latitude, it will furnish even better evidence, *if any evidence*, of the effect of climate on the births than the statements of the French phisiologist, as his comparison was between points little more than one-third as distant on a meridional line. To investigate the matter thoroughly, comparisons should be instituted between the torrid and frigid zones, and the results collated and compared with those of some *internal portion* of Europe, where the whole population is indigenous and fixed. It would, indeed, be proper that the subjects of examination should be of the race that, for many ages, inhabited the country; as the impress of climate in them might be considered perfect. As these measures are impracticable, we must confine our remarks to a narrower and less definite scale;—one or two of the most northern districts of Maine, and the most southern of Georgia, upon the state of which neither emigration nor immigration are producing any appreciable change. An intermediate observation in Maryland or Pennsylvania should be made, and the result of each individually compared with that furnished by former enumerations. Should the operation of climate, which we have surmised, be proven, your research will develop many curious and useful objects of speculation for the phisiologist and moralist, and lead probably to truths that are not “dreamt of in our philosophy.”

EDITORIAL NOTE. I thank the writer for his compliment—he alludes, no doubt, to the patient drudgery so often bestowed on our statistical articles; but the subject now presented is rather out of our line. We publish the suggestion and remarks, in the hope that it may lead some one, (if the writer himself cannot undertake it), to furnish us with the matters desired; which cannot fail to interest the philosophical enquirer, as well as instruct the political economist.

PUBLIC LANDS. A report has been rendered to congress by the secretary of the treasury, in conformity to a resolution of the house of representatives, requiring him to report “to the house, when returns are made, the quantity of land relinquished to the United States; the quantity upon which full payment has been made; and the quantity on which further credit has been allowed, under the provisions of the act for the relief of purchasers of public lands, prior to the first day of July, 1820, passed March the 2nd, 1821; distinguishing the amount of the debt on which further credit has been allowed.” It appears, from the accompanying statement of the commissioner of the general land office, that it is impracticable fully to comply with the wishes of the house from the imperfections of the returns from the land office. Returns have been received from the following land offices only:—Steubenville, Marietta, Shawneetown, Chillicothe, Zanesville, Detroit and Jeffersonville, and of these the three first only appear to be complete.—The quantity of land *relinquished* appears to be the only perfect return from all the offices above named, and is as follows:

Steubenville,	29,400 34
Marietta,	11,199 23½
Chillicothe,	46,006 37
Zanesville,	33,407 04
Shawneetown,	119,123 60
Detroit,	20,341 72
Jeffersonville,	112,434 38½

The letter of Mr. Commissioner Meigs, to the secretary of the treasury, concludes as follows:

“The important omissions in some of the abstracts of the proceedings transmitted from the land offices, will render it impracticable to furnish an accurate, general statement, such as is intended by the resolution, until an examination shall have been made of all the details of the land office reports, to supply omissions, and correct mistakes. Meantime, I trust that statements from time to time, as the land office reports are received, (such as the present) may answer the purpose intended by the resolution.” *Nat. Int.*

HOSPITAL MONEY, for the relief of sick and disabled seamen. We have a letter from the secretary of the treasury, on the application of the fund set aside to the purpose just above stated. It incloses a correspondence with several of the collectors about the concern, and shews a laudable attention in the secretary to the case. He speaks of the excessive expenditure at *Baltimore* especially, and directs that no seaman afflicted with any incurable disorder shall be maintained—that no seaman shall be relieved for a longer period than four months—that disabled seamen must be discharged and sent to the place of their nativity or domicile—that the amount expended must not exceed the amount collected, &c. He says that he has urged the propriety of doubling the fund, without effect, and that “the state of the treasury forbids the expectation that inattention to the excessive expenditure of money for the relief of sick and disabled seamen, will be considered as excusable by those who hold the purse strings of the nation.”

The following is the amount of moneys received under the act for the relief of sick and disabled seamen during the years 1817, 1818, 1819 and 1820, and the annual expenditure for the same, during those years:

States.	Receipts.	Expenditures.
New-Hampshire	1,955 96	3,072 66
Massachusetts	57,839 77	38,332 17
Rhode-Island	8,759 27	9,528 30
Connecticut	5,881 92	6,912 17
New-York	39,335 43	47,326 77
New-Jersey	5,514 06	29 04
Pennsylvania	16,720 73	57,829 54
Delaware	2,201 52	
Maryland	18,832 19	84,821 82
District of Columbia	3,337 11	4,045 98
Virginia	10,850 20	26,696 40
North Carolina	6,607 93	10,519 26
South Carolina	4,678 52	9,902 14
Georgia	3,121 07	18,499 99
Louisiana	7,506 37	22,075 31
Mississippi	971 95	704 55
Total	\$194,164 00	\$340,294 90

U. S. BANK, versus R. OSBURN, OF OHIO. A report has been submitted to the legislature of Ohio, on the case of the U. S. bank vs. Ralph Osburn and others, which was agreed to in the senate. The report recapitulates the circumstances of the case, (which our readers are generally informed of,) and concludes with the following resolves:

“Resolved, That the general assembly do protest against the late proceedings, and jurisdiction maintained by the federal circuit court, in the case of the United States bank against the officers of this state, indirectly making the state a defendant, as being a violation of the 11th amendment to the constitution of the United States.

“Resolved further, That the general assembly consider it inexpedient to pass any law making

appropriation, or pass a credit on the books of the state, or in any way change the legal responsibilities and relations, as it respects the late proceedings in the case of the United States bank against Italph Osborn, auditor of state, Samuel Sullivan, treasurer of state, and others, in the federal circuit court, sitting in this state."

Ohio. Ethan A. Brown, esq. has been chosen a senator of the United States from this state, in the place of col. Trimble, deceased. The other principal persons named were Thos. Worthington, John McLean and Wm. H. Harrison. Nine ballots were had—on the first W. had 32; B. 26; McL. 22; H. 17. On the last, 101 votes were taken, of which Mr. Brown had 51 and Mr. Worthington 50.

Counterfeits. The public should be exceedingly cautious in the receipt of bank notes, generally, unless well acquainted with them, just now. The counterfeiters who have been secretly busy for a long time, have sent a flood of spurious paper abroad, some of which so nearly represents the genuine bills, that it is exceedingly difficult to detect them.

RAILWAY. A new iron railway has been invented in Bavaria. On an exactly horizontal surface, on this improvement, a woman, or even a child, may, with apparent ease, draw a cart loaded with more than six quintals. On another kind of railway, by the same inventor, in which there is an insensible descent of six inches and a quarter in 100 feet, a waggon will run alone without any external impulse. It is proved that those iron railings are *two-thirds* better than the English, and only cost *half* as much. A single horse is equal to *twenty-two* on the best common road.

Roads and Canals.

Report of the committee on roads and canals in the house of representatives, Jan. 2, 1822, accompanying the bill now pending in that house.

The committee on roads and canals report: That they have considered the general subject submitted to their charge, and also the specific objects of internal improvements which have been referred to them.

In relation to the subject, under its general head, they believe it will not be controverted, that, after the formation of a good government, it is the next interest of a nation to adopt such a system of internal policy as will enable the people to enjoy, as soon as practicable, all the natural advantages belonging to the country in which they live. Labor is justly considered to be the wealth of a nation; productions of every description, and all things valuable, are produced by it; and the whole operation of a society of people, as regards their political economy and social intercourse, consists in obtaining what are usually called first materials, in the conversion and fashioning of these for use; and the transportation of the raw or manufactured articles, to the places where they are finally wanted. The transportation necessarily forms a heavy charge on the fund of labor, and, in proportion to the reduction of labor, in this respect, will be the gain of a nation, as the part saved can be employed to advantage in other objects.

The great extension of our territory, and its various latitudes, abounding in almost every species of products, will always render the expense of transportation an object of great and national importance.

Although artificial works may not, for a while, afford a profit to the undertakers, still they will be beneficial to the community at large, not only by the increased value they will give to productions at a distance from market, but, also, by an increase in the quantity of productions, in consequence of the additional excitement to enterprise, and the general diffusion of industry.

The utility of good roads and canals has been tested by long experience in other countries. In China, it is said, that, by means of their water carriage, their home market is nearly equal to the whole market in Europe. Satisfactory evidence of the immense advantages to be derived from canals, is likewise furnished from almost every part of Europe, and particularly in England, where they have been extended, within the last fifty years, in every direction, supplying the demands of one place by the resources of another, and so extensively spreading industry, as to enable them to supply their own wants, and to furnish vast exports to exchange for the wealth of other countries.

It must be a source of gratification to every American, when he reflects that his own country possesses advantages, in this respect, not inferior to that of any other on the globe; and that there is none that presents higher inducements for the legislative aid of its councils, or where there is a greater certainty of being repaid for any expenses which their patriotism may bestow.

From a well regulated system of internal commerce in the United States, by the means of good roads and canals, the happiest consequences may be expected to flow. We enjoy almost every variety of climate, and possess populous cities and condensed settlements, as well as vast tracts of country thinly inhabited. A regular trade in the exchange of manufactured articles for raw materials would take place, and the nation would receive, within itself, the whole benefit that is usually gained between old and new countries. It is admitted, by the ablest writers on political economy, that the most important branch of the commerce of any nation is that which is carried on between the inhabitants of the towns and those of the country: customers become acquainted with each other, and less risk is generally incurred.

It is also essential to the prosperity of a nation to obtain all the labor it can from its members; and, as it is composed of people possessing various talents and inclinations, every reasonable encouragement should be given to each branch of national industry, as a means of calling into activity the different qualifications of men: and, besides, from a frequency of intercourse among the citizens living in different parts of the country, close and profitable connections would be formed, which would have a tendency to produce harmony, and affections that would add to the safety of the union: the people would reap great benefits from a stability in their affairs, as a judicious system of internal commerce would create a certain proportion; or level, in all the departments of industry, that could not be readily disturbed by the wars and vicissitudes of other powers. From changes of this description, over which we had no control, this country, in several instances, has experienced shocks, and sustained losses, which would far exceed (as it is reasonable to conjecture) the aid or expense necessary, on the part of the general government, for the completion of such artificial roads and canals, and improvements in rivers, as would satisfy in this respect, all the real exigencies of the country.

Among the many objects of improvement in inland navigation, some are limited, and within the means of individual and state enterprise; others are of a character too extensive, their productiveness depending on improvements to be made in different states, at great distances from each other. The great and important line of inland communication, contemplated along the Atlantic coast, would be beneficial, in various degrees, to more than one half the states in the union; yet, no one or two states would have sufficient inducements to furnish the necessary means for the completion of any of its parts; nor could a union of sentiment be scarcely expected, among the states through which it would pass, as to the particular routes, or modes of execution. Such objects are great and national, requiring one general head, and, consequently, the aid of the general government is rendered indispensable, as well as regards the funds to be furnished as the facility of execution. Objects of such transcendent importance to the welfare and defence of the nation, must be perfected by the general government, or their perfection can scarcely ever be expected. Had we waited for the joint agency of states, more than an age would have passed before we should have seen a road constructed by the union of states, equal, in national design and costliness, to the road from Cumberland to Wheeling. Objects on the large scale of national benefit are creatures of the union, the scope and views of state authority being local in their nature.

The committee will further observe, that, antecedent to the existence of the general government, several states could not have perfected an object of this kind, without entering into some understanding or compact in the nature of a treaty, in the character of independent states; but serious doubts may now exist on the subject; as states are not allowed, by the constitution, to enter into any agreement or compact with each other, it will at least be difficult to say how such a power can be exercised by the states, which could be enforced, unless by corporations, in perpetuity, or by the consent of congress.

The committee will not undertake to make researches into the history of the rise and progress of canals and internal improvements in ancient or modern times, in foreign countries; but the task is an agreeable one, to pursue, even partially, the public spirit that has prevailed on this subject in many of the states. The works that have already been constructed are so many evidences of the opinion of the people in favor of their utility beyond their expense, and from them much experience has been derived, as to skill and economy, that will be very useful hereafter. Their influence should operate as a persuasive inducement to the general government, to begin her own great work for her own benefit.

As to most of the improvements that were perfected prior to 1808, the committee will refer the house to a report of the secretary of the treasury, dated the 4th of April of that year. This plain and valuable document contains more information on the subject in general, than is to be found any where else. Since that period, great efforts have been made towards internal improvements, but the committee do not possess an accurate knowledge as to their extent, and even if they were to embrace all the public improvements that are within their recollection, it would too much enlarge this report; a few objects will therefore be selected.

In Massachusetts, a magnificent work or dam, a mile and three quarters in length, has been constructed, to connect the town of Boston with the main land, at an expense of about six hundred thousand dollars. An allusion need only be made to the patriotic and laudable efforts of the state of New York, as to grandeur in the designs, and the execution of so great a part of their immense undertakings. Pennsylvania has made great advances in the construction of permanent bridges over her large rivers, and in the making of artificial roads; and is now engaged in the grand object of connecting the Susquehannah with the Schuylkill, by the Union canal. Maryland has made expensive roads, in many directions, for the accommodation of her citizens, and to bring trade to her capital. Virginia, in 1816, enacted a law, creating a board of public works, with power to appoint engineers and surveyors, and, also, creating a fund to be applied exclusively to the rendering navigable, and uniting by canals, the principal rivers, and more intimately connecting, by means of public highways, the different parts of the commonwealth. North Carolina has made many and expensive improvements in roads and canals. In the state of Georgia, it appears, from official documents, that one hundred and eighty-nine thousand dollars have lately been expended in public improvements, besides one hundred thousand dollars for free schools. In the state of Tennessee, the legislature has unanimously appropriated five hundred thousand dollars for the purpose of improving the navigation of the rivers in the state.

Public examples need not, at present, be farther traced.

The national objects, which, in the opinion of the committee, claim the first attention of government, are,

1. The great line of canals, from the harbor of Boston to the south, along the Atlantic sea-coast.
2. A road from the city of Washington to that of New Orleans.
3. Canals to connect the waters of the Ohio, above, with those below the falls, at Louisville; Lake Erie with the Ohio river; and the tide waters of the Potomac with the same stream at Cumberland.
4. Communications between the Susquehannah and the rivers Seneca and Genesee, which empty into Lake Ontario.
5. Communications between the Tennessee and Savannah, and between the Tennessee, Alabama, and Tombeckbee rivers.

For the more particular information, relating to these objects, and for their magnitude, and the many and high advantages which they would produce to the union, either in times of war or peace, the house are referred to the above report of the secretary of the treasury, and to the very interesting and convincing report of the secretary of war, dated January 7th, 1819, which reports the committee beg may be annexed to their present report. As to some of the objects mentioned, or parts of them, it will be important, previous to the commencement of any general system, to form the basis of it upon the best information that can be obtained by scientific men; the committee, therefore, beg leave to report a bill, entitled "An act to procure the necessary surveys, plans, and estimates, on the subject of roads and canals."

The committee will make separate reports on the subject of the Chesapeake and Delaware canal, and the other objects referred to them.

Progress of the population of the United States, according to the enumerations of 1790, 1800, 1810, and 1820.

STATES AND TERRITORIES.	1790.			1800.			1810.			1820.		
	Free whites.	Slaves.	Total.	Free whites.	Slaves.	Total.	Free whites.	Slaves.	Total.	Free whites.	Slaves.	Total.
Maine (a)	96,002	.	96,540	150,901	.	151,719	227,736	.	228,705	297,421	.	298,335
New Hampshire	141,097	158	141,885	182,995	8	183,838	213,490	.	214,236	244,161	.	244,161
Massachusetts	373,324	378,787	752,111	416,293	422,845	839,138	472,040	.	472,040	516,419	.	516,419
Rhode Island	64,470	948	65,418	65,438	380	65,818	73,214	108	73,322	79,413	48	79,461
Connecticut	232,374	2,764	235,138	244,751	931	245,682	255,179	310	255,489	267,181	97	267,278
Vermont	85,298	16	85,314	153,908	.	153,908	177,145	.	177,145	217,893	.	217,893
New York	314,145	21,321	335,466	555,063	20,613	575,676	918,699	15,017	933,716	1,332,744	10,088	1,342,832
New Jersey	169,954	11,423	181,377	194,325	12,422	206,747	226,868	10,851	237,719	263,365	7,557	270,922
Pennsylvania	424,099	3,737	427,836	586,252	1,706	587,958	786,834	795	787,629	1,010,991	211	1,011,202
Delaware	46,310	8,887	55,197	49,875	6,135	56,010	55,361	4,177	59,538	66,318	4,509	70,827
Maryland	208,649	103,036	311,685	221,998	107,707	329,705	349,692	111,502	461,197	660,922	107,398	768,320
Virginia	442,117	292,657	734,774	518,674	346,968	865,642	551,534	392,518	944,052	1,062,974	435,153	1,498,127
North Carolina	288,204	100,572	388,776	337,866	133,196	471,062	376,430	168,824	545,254	419,200	205,017	624,217
South Carolina	131,181	107,091	238,272	196,255	146,151	342,406	214,196	196,365	410,561	231,812	251,763	483,575
Georgia	52,986	29,264	82,250	101,068	59,699	160,767	145,416	105,218	250,634	189,566	41,879	231,445
Alabama (b)	.	.	.	5,179	3,489	8,668	23,264	17,088	40,352	42,176	32,814	75,448
Mississippi (c)	.	.	.	.	.	.	34,311	34,660	78,971	73,383	69,064	142,447
Louisiana (c)	.	.	.	91,709	13,584	105,293	215,875	44,535	260,410	339,727	80,107	440,534
Tennessee (d)	31,913	3,417	35,330	179,875	40,343	220,218	324,237	80,561	404,798	434,644	126,732	561,376
Kentucky	61,133	12,430	73,563	45,028	135	45,163	228,861	237	229,098	576,572	190	576,762
Ohio (e)	.	.	.	5,343	.	5,343	23,890	11,501	35,391	145,758	917	146,675
Indiana (f)	.	.	.	.	.	.	11,501	168	11,669	53,788	917	54,705
Illinois (f)	.	.	.	.	.	.	17,227	3,011	20,238	55,988	10,232	66,220
Missouri (g)	.	.	.	.	.	.	4,618	24	4,642	8,591	.	8,591
Territory of Michigan	.	.	.	.	.	.	.	.	.	.	.	.
Territory of Arkansas (g)	.	.	.	10,066	3,244	13,310	16,079	5,395	21,414	12,552	1,617	14,169
District of Columbia	.	.	.	.	.	.	.	.	.	22,614	6,377	28,991
Totals.	3,172,146	697,697	3,869,843	4,296,745	896,849	5,193,594	5,862,093	1,191,364	7,053,457	7,856,269	1,531,436	9,384,705

(a) The difference between the amount of the white inhabitants and the slaves added together, compared with the general total, shews the amount of the free persons of color, and all other persons, except Indians not taxed.

(b) Part of Massachusetts until the census of 1820, but always enumerated separately.

(c) Alabama and Mississippi were enumerated as one territory in 1800 and 1810—since the latter period, this territory has been divided into two states.

(d) Known by the name of the territory "south of the river Ohio" in 1790.

(e) Called the territory N. West of the Ohio, including the present states of Ohio, Indiana and Illinois, with the territory of Michigan, &c. in 1800.

(f) Territories until after the census of 1810.

(g) Called the territory of Louisiana in 1810, and including the present territory of Arkansas.

Navigation of the Mississippi.

Montpellier, January 8, 1822.

MR. NILES. In Ramsay's history of the American Revolution, vol. 2, p. 300, 301, is the following passage:

"Mr. Jay was instructed to contend for the right of the United States to the free navigation of the river Mississippi; and, if an express acknowledgment of it could not be obtained, he was restrained from acceding to any stipulation by which it should be relinquished. But, in February 1781, when lord Cornwallis was making rapid progress in overrunning the southern states, and, when the mutiny of the Pennsylvania line and other unfavorable circumstances, depressed the spirits of the Americans, congress, on the recommendation of Virginia, directed him to recede from his instructions, so far as they insist on the free navigation of that part of the Mississippi, which lies below the thirty-first degree of north latitude; provided such concession should be unalterably insisted on by Spain, and provided the free navigation of the said river, above the said degree of north latitude, should be acknowledged and guaranteed by his Catholic majesty, in common with his own subjects."

In this account of the instruction to Mr. Jay, to relinquish the navigation of the Mississippi, below the southern boundary of the United States, the measure would seem to have had its origin with the state of Virginia.

This was not the case; and the very worthy historian, who was not at that period a member of congress, was led into his error by the silence of the journals as to what had passed on the subject, previous to February 15th, 1781, when they agreed to the instruction to make the relinquishment, as moved by the delegates of Virginia, in pursuance of instructions from the legislature. It was not unusual with the secretary of congress to commence his entries on the journal, with the stage in which the proceedings assumed a definitive character; omitting, or noting on separate and informal sheets only, the preliminary steps.

The delegates from Virginia had been long under instructions from their state, to insist on the right to the navigation of the Mississippi, and congress had always included it in their ultimatum for peace. As late as the 4th of October, 1781, [see the secret journals of that date] they had renewed their adherence to this point, by unanimously agreeing to the report of a committee, to whom had been referred "certain instructions to the delegates of Virginia by their constituents, and a letter of May 29, from Mr. Jay, at Madrid," which report prohibited him from relinquishing the right of the United States to the free navigation of the river Mississippi, into and from the sea, as asserted in his former instructions; and, on the 17th of the same month, October, [see the secret journals of that date] congress agreed to the report of a committee explaining the reasons and principles on which the instructions of October the 4th were founded.

Shortly after this last measure of congress, the delegates of South Carolina and Georgia, seriously affected by the progress and views of the enemy in the southern states, and by the possibility that the interference of the great neutral powers might force a peace, on the principle of *uti possidetis*, whilst those states, or parts of them, might be in the military occupancy of Great Britain, urged with great zeal, within and without doors, the expediency of giving fresh vigor to the means of

driving the enemy out of their country, by drawing Spain into an alliance, and into pecuniary succours, believed to be unattainable without yielding our claim to the navigation of the Mississippi. The efforts of those delegates did not fail to make proselytes, till, at length, it was ascertained that a number was disposed to vote for the measure, sufficient without the vote of Virginia, and it happened that one of the two delegates from that state, concurred in the policy of what was proposed. [See the annexed letter of November 25, and extract of December 5, 1781, from J. Madison to Joseph Jones.]

In this posture of the business, congress was prevailed on to postpone any final decision, until the legislature of Virginia could be consulted, it being regarded by all as very desirable, when the powers of congress depended so much on the individual wills of the states, that an important member of the union, on a point particularly interesting to it, should receive every conciliatory mark of respect, and it being calculated also, that a change in the councils of that state might have been produced by the causes producing it in others.

A joint letter, bearing date December 13, 1780, [which see annexed] was accordingly written by the delegates of Virginia to governor Jefferson, to be laid before the legislature then in session, simply stating the case, and asking instructions on the subject, without any expression of their own opinions, which, being at variance, could not be expressed in a letter to be signed by both.

The result of these communications from the delegates was a repeal of the former instructions, and a transmission of different ones; the receipt of which, according to an understanding when the decision of congress was postponed, made it incumbent on the two delegates to bring the subject before congress. This they did by offering the instruction to Mr. Jay, agreed to on the 15th of February, 1781, and referred to in the historical passage above cited.

It is proper to add, that the instant the menacing crisis was over, the legislature of Virginia revoked the instruction to her delegates to cede the navigation of the Mississippi; and that congress seized the first moment, also, for revoking theirs to Mr. Jay.

I have thought a statement of these circumstances due to truth. And that its accuracy may be seen to depend, not on memory alone, the copies of cotemporary documents, verifying it, are annexed.

In the hope that this explanation may find its way to the notice of some future historian of our revolutionary transactions, I request for it a place, if one can be afforded, in your REGISTER; where it may more readily offer itself to his researches, than in publications of more transient or miscellaneous contents.

With friendly respects,

JAMES MADISON,

[COPY.]

Philadelphia, Nov. 25, 1780.

DEAR SIR—I informed you sometime ago, that the instructions to Mr. Jay had passed congress, in a form which was entirely to my mind. I since informed you that a committee was preparing a letter to him, explanatory of the principles and objects of the instructions. This letter also passed in a form equally satisfactory. I did not suppose that any thing further would be done on the subject; at least until further intelligence should arrive from Mr. Jay. It now appears that I was mistaken. The

delegates from Georgia and South Carolina, apprehensive that a *uti possidetis* may be obtruded on the belligerent powers, by the armed neutrality in Europe, and hoping that the accession of Spain to the alliance will give greater concert and success to the military operations that may be pursued for the recovery of their states, and likewise add weight to the means that may be used for obviating a *uti possidetis*, have moved for a reconsideration of the instructions, in order to empower Mr. Jay, in case of necessity, to yield to the claims of Spain on condition of her guaranteeing our independence and affording us a handsome subsidy. The expediency of such a motion is further urged from the dangerous negotiations now on foot, by British emissaries, for detaching Spain from the war. Wednesday last was assigned for the consideration of this motion, and it has continued the order of the day ever since, without being taken up. What the fate of it will be, I do not predict; but whatever its own fate may be, it must do mischief in its operation. It will not probably be concealed that such a motion has been made and supported, and the weight which our demands would derive from unanimity and decision must be lost. I flatter myself, however, that congress will see the impropriety of sacrificing the acknowledged limits and claims of any state, without the express concurrence of such state. Obstacles enough will be thrown in the way of peace, if it is to be bid for at the expense of particular members of the union. The eastern states must, on the first suggestion, take the alarm for their fisheries. If they will not support other states in their rights, they cannot expect to be supported themselves when theirs come into question.

In this important business, which so deeply affects the claims and interests of Virginia, and which I know she has so much at heart, I have not the satisfaction to harmonize in sentiments with my colleague. He has embraced an opinion that we have no just claim to the subject in controversy between us and Spain, and that it is the interest of Virginia not to adhere to it. Under this impression, he drew up a letter to the executive to be communicated to the legislature, stating, in general, the difficulty congress might be under, and calling their attention to a revision of their instructions to their delegates on the subject. I was obliged to object to such a step, and, in order to prevent it, observed, that the instructions were given by the legislature of Virginia on mature consideration of the case, and on a supposition that Spain would make the demands she has done; that no other event has occurred to change the mind of our constituents but the armed neutrality in Europe and the successes of the enemy to the southward, which are as well known to them as to ourselves; that we might every moment expect a third delegate here, who would either adjust or decide the difference in opinion between us, and that whatever went from the delegation would then go in its proper form and have its proper effect; that if the instructions from Virginia were to be revised, and their ultimatum reduced, it could not be concealed in so populous an assembly, and every thing which our minister should be authorized to yield, would be insisted on; that Mr. Jay's last despatches encouraged us to expect that Spain would not be inflexible if we were so; that we might every day expect to have more satisfactory information from him; that, finally, if it should be thought expedient to listen to the pretensions of Spain, it would be best before we took any decisive step in the matter, to take the counsel of those who best knew the interests, and have

the greatest influence on the opinions, of our constituents; that, as you were both a member of congress and of the legislature, and were now with the latter, you would be an unexceptionable medium for effecting this; and that I would write to you for the purpose by the first safe conveyance.

These objections had not the weight with my colleague which they had with me. He adhered to his first determination, and has, I believe, sent the letter above mentioned by Mr. Walker, who will, I suppose, soon forward it to the governor. You will readily conceive the embarrassments this affair must have cost me. All I have to ask of you is, that if my refusing to concur with my colleague in recommending to the legislature a revision of their instructions should be misconstrued by any, you will be so good as to place it in its true light; and if you agree with me as to the danger of giving express power to concede, or the in expediency of conceding at all, that you will consult with gentlemen of the above description and acquaint me with the result.

I need not observe to you that the alarms with respect to the inflexibility of Spain in her demands, the progress of British intrigues at Madrid, and the danger of a *uti possidetis* may, with no small probability, be regarded as artifices for securing her objects on the Mississippi. Mr. Adams, in a late letter from Amsterdam, a copy of which has been enclosed to the governor, supposes that the pretended success of the British emissaries at Madrid, is nothing but a ministerial finesse to facilitate the loans and keep up the spirits of the people.

This will be conveyed by col. Grayson, who has promised to deliver it himself, or if any thing unforeseen should prevent his going to Richmond, to put it into such hands as will equally insure its safe delivery.

I am, dear sir, yours, sincerely.

J. MADISON, Jr.

The hon. Joseph Jones.

Extract of a letter from James Madison to Joseph Jones, dated December 5th, 1780.

"We had letters yesterday from Mr. Jay and Mr. Carmichael, as late as the 4th and 9th of September. Mr. Jay informs us that it is absolutely necessary to cease drawing bills on him; that 150,000 dollars, to be repaid in three years, with some aid in clothing, &c. is all that the court will adventure for us. The general tenor of the letter is, that our affairs there make little progress; that the court is rather backward; that the navigation of the Mississippi is likely to prove a very serious difficulty; that Spain has herself been endeavoring to borrow a large sum in France, on which she meant to issue a paper currency; that the terms and means used by her, displeased Mr. Neckar, who, in consequence, threw such discouragements on it, as, in turn, were not very pleasing to the Spanish minister; that Mr. Cumberland is still at Madrid, laboring in concert with other secret emissaries of Britain, to give unfavorable impressions of our affairs; that he is permitted to keep up a correspondence by his couriers with London; that if negotiations for peace should be instituted this winter, as Spain has not yet taken a decided part with regard to America, England will probably choose to make Madrid, rather than Versailles, the seat of it. However unfavorable many of these particulars may appear, it is the concurrent representation of the above ministers, that our disappointment of pecuniary succor at Madrid, is to be imputed to the want of ability, and not of inclination, to supply

us; that the steadiness of his Catholic majesty is entirely confided in by the French ambassador; and that the mysterious conduct of Mr. Cumberland, and of the court of Spain towards him, seems to excite no uneasiness in the ambassador. The letters add, that, on the pressing remonstrance of France and Spain, Portugal had agreed to shut her ports against English prizes, but that she persisted in her refusal to accede to the armed neutrality.

The receipt of the foregoing intelligence has awakened the attention of the Georgia delegates to their motion, of which I informed you particularly by col. Grayson. It has lain ever since it was made, undisturbed on the table. This morning is assigned for the consideration of it, and I expect it will, without fail, be taken up. I do not believe congress will adopt it without the express concurrence of all the states immediately interested. Both my principles and my instructions will determine me to oppose it. Virginia and the United States in general, are too deeply interested in the subject of controversy to give it up as long as there is a possibility of retaining it. And I have ever considered the mysterious and reserved behaviour of Spain, particularly her backwardness in the article of money, as intended to alarm us into concessions rather than as the effect of a real indifference to our fate, or to an alliance with us. I am very anxious, notwithstanding, to have an answer to my letter by Grayson."

[COPY]

His excellency Thomas Jefferson, esq. governor of Virginia.

PHILADELPHIA, December 13th, 1780.

SIR—The complexion of the intelligence received of late from Spain, with the manner of thinking which begins to prevail in congress, with regard to the claims to the navigation of the Mississippi, makes it our duty to apply to our constituents for their precise, full and ultimate sense on this point. If Spain should make a relinquishment of the navigation of that river on the part of the United States, an indispensable condition of an alliance with them, and the State of Virginia should adhere to their former determination to insist on the right of navigation, their delegates ought to be so instructed, not only for their own satisfaction but that they may the more effectually obviate arguments drawn from a supposition that the change of circumstances, which has taken place since the former instructions were given, may have changed the opinion of Virginia with regard to the object of them. If, on the other side, any such change of opinion should have happened, and it is now the sense of the state that an alliance with Spain ought to be purchased, even at the price of such a cession, if it cannot be obtained on better terms, it is evidently necessary that we should be authorized to concur in it. It will also be expedient for the legislature to instruct us in the most explicit terms whether any, and what, extent of territory, on the east side of the Mississippi and within the limits of Virginia, is, in any event, to be yielded to Spain as the price of an alliance with her. Lastly, it is our earnest wish to know what steps it is the pleasure of our constituents we should take in case we should be instructed in no event to concede the claims of Virginia, either to territory or to the navigation of the abovementioned river, and congress should, without their concurrence, agree to such concessions.

We have made use of the return of the honorable Mr. Jones to North-Carolina, to transmit this to

your excellency, and we request that you will immediately communicate it to the general assembly.

We have the honor to be, with the most perfect respect and esteem, your excellency's most obedient and humble servants.

JAMES MADISON, junr.
THEO'K. BLAND.

Seventeenth Congress—first session.

IN SENATE.

January 17. The bill reported by Mr. Holmes, respecting the compensation to officers of the customs, having for its leading object a reduction of the amount of the salaries or emoluments of the collectors, &c. and to enforce economy as to clerk hire, &c. was postponed until to-morrow.

The bill for granting to the governor of the state of Louisiana, for the time being, and his successors in office, two tracts of land in the county of Point Coupee, was taken up.

[It appeared in the debate, that one of the tracts contained 85 acres and had been occupied by the Spaniards with a small military fort—hence it was public property. It was asked for the purpose of erecting a seminary of learning thereon, for which extensive private subscriptions had been made, one individual (Julien Poydras) having given 800 dollars per annum to its support. The other tract was 40 arpents on the Mississippi and 40 arpents back, (at a remarkable bend of the river, which was desired to be held in trust for the county to enable the people to keep up the levee), which cost them about 10,000 dollars a year by having timber at hand for repairing crevisses.]

After debate, the bill was postponed to this day week—21 to 19.

The bill to provide for the repair of the Cumberland road, (by erecting gates, and collecting toll thereon, to be expended in repairs of the road) was next in order, and the presiding officer commenced the reading of it.

Mr. Lowrie considered this as a revenue bill, and, to try the sense of the senate on that point, moved that it should lie on the table. Mr. Johnson, of Ky. could not view it in that light, and Mr. L. explained. Mr. Talbot urged the senate to act on the bill—much argument followed, but finally it was laid on the table to allow time to consider it, &c.

January 18. The senate resumed the consideration of the bill to fix the compensation of the officers of the customs. There was much debate, or remark, on different items, and especially about the sum that would be left to the collector of New-York, designed to be 4000 dollars a year, (in common with the allowance to the collectors of the ports of Boston, Philadelphia, Baltimore, Charleston and New Orleans); and a small amendment was made with a view to secure that sum to said officer.

Some further progress having been made in the bill—the senate adjourned to Monday.

January 21. Among the petitions presented this day, was one praying for the adoption of additional measures to suppress the African slave trade; and another, from a number of inhabitants of Ohio, in favor of further measures to civilize the Indian tribes.

The chief part of this day was occupied on the bill to establish the compensation of the officers of the customs. Various motions to amend, in favor of particular persons or places were made, but the general features of the bill were maintained. The further consideration was postponed to to-mor-

row, and the senate, having spent some time on executive business, adjourned.

January 22. Mr. *Louvie* asked leave to bring in a bill to vest in the respective states the right of the United States, to all fines assessed for the non-performance of militia duty during the late war—and supported his motion by a speech and exhibit of considerable length, shewing the great attention which he had paid to the subject; we are sorry that our engagements for the week will not admit of its insertion in this sheet, but it shall be preserved.

After some minor business, among which was the presentation of certain resolutions of the legislature of Alabama, praying that that part of Florida, lying west of the Appalachicola, might be annexed to that state—the senate resumed the consideration of the bill to establish the compensation of the officers of the customs, and proceeded nearly through the same without any material alterations, though many particulars were contested by different gentlemen; and then adjourned.

January 23. Mr. *Johnson*, of Louisiana, submitted the following resolution for consideration:

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of providing by law for the building of an additional number of sloops of war for the protection of the commerce of the United States in the Gulf of Mexico; and into the propriety of employing one or more of the frigates or ships of war of the United States for the same purpose.

The mover supported his resolution with a number of pointed remarks, shewing the extent of the ravages committed and the necessity of stopping them, for which legislative provision was requisite.

After the transaction of some executive business, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 18. Many reports from different committees were received and variously disposed of.

Mr. *Floyd*, from the committee appointed on the subject, reported a bill to authorize the occupation of Columbia river; this bill was read twice and committed.

[The first section of the bill provides, that the president of the U. States shall be authorized and required to occupy "that portion of the territory of the U. States on the waters of the Columbia river," and to extinguish the Indian title to a portion of it; that every actual settler, being the head of a family, shall be entitled to a certain quantity of land, and every unmarried settler, or mechanic, also, shall be allowed so many acres, after a probation of a limited time. When the population of the settlement amounts to two thousand souls, all that portion of the territory of the United States north of the 42d degree of latitude, and west of the Rocky Mountains, is to constitute a territory of the United States, under the name of the TERRITORY OF OREGON. The bill then goes on to provide how the government of the said territory is to be organized and administered.]

On motion of Mr. *McCoy*, it was

Resolved, That the committee on the judiciary be instructed to inquire whether any, and, if any, what measures are necessary to secure the government, in the several departments, from imposition by the exhibit of fraudulent claims.

Mr. *Cocke*, in rising to make a motion, remarked, that the communication which had been made to this house by the secretary of war, on the subject of the expenditures, &c. of the Indian department, did not conform to the directions that had been given by this house, nor was it satisfactory to his mind. The resolution had called for full and detailed information on the subject, and the second auditor had taken it upon himself to decide what

part of the information was proper to communicate, and what it was proper to withhold. Mr. C. was disposed to judge for himself on that point, and wished for some criterion, by which to justify himself to his constituents and to his own conscience, for the votes which he was called upon to give on this subject. He therefore submitted the following resolution:

Resolved, That the secretary of war be directed to lay before this house a copy of the account current of the governor of Michigan territory, which shall exhibit a perfect view of his superintendency of Indian affairs for the year 1820, and, as far as in his power, the account of said superintendency for the year 1821, specifying the particular items of expenditure, and to whom paid; and, also, a similar account for said years of the superintendency of the government of the late territory of Missouri.

Mr. C. thereupon moved, that the standing rule that required such resolutions to lie one day on the table be dispensed with, to the end that no unnecessary delay or embarrassment be produced by its adoption, which he assured the house was very far from his intention.

The rule was thereupon dispensed with, *nem. con.* and the resolution was adopted.

Mr. *Cambreleg* laid the following resolution on the table:

Resolved, That the secretary of the treasury be directed to furnish this house with the annual statement of the transactions of the bank of the United States for the year 1821.

Mr. *Lowndes* presented a letter from George W. Erving, esq. a citizen of the U. States, residing at Paris, announcing the transmission of a box of valuable medals by a vessel that foundered at sea on its way to New-York, and which were intended to be deposited by their liberal donor in the library of the United States, for the public use. The donation was valuable, as it comprised all the medals that were struck in France from the commencement of the French revolution to the re-establishment of the present family on the throne. These medals, Mr. L. said, were become scarce. They had been collected and destroyed by the reigning government, that the glory of the period might be obliterated which it was now popular to praise. Mr. L. not knowing precisely what would be the proper mode of disposing of the letter, said he should move to refer it to the library committee for their consideration. The letter was then read.

On motion of Mr. *Lowndes*, the letter was referred to the committee on the library.

Mr. *Tomlinson* submitted a resolution which had for its object the erection of a monument over the remains of general Wooster, in conformity with a resolve of the revolutionary congress. Referred to the committee of ways and means.

Mr. *McCoy* laid the following resolution on the table:

Resolved, That the following be established as one of the standing rules of the house:

"No petition for a claim of any description shall be received, unless accompanied by evidence shewing that the claim had been made at the proper department and disallowed, and stating the reasons of such disallowance."

Mr. *Stevenson* presented a memorial of sundry citizens of Richmond, Va. praying for a repeal of the restrictive system; which was referred to the committee on commerce.

Mr. *Bateman* laid the following resolution on the table:

Resolved, That the secretary of the treasury be directed to report to this house what progress has been made in the settlement of the arrears in the accounts of the post office establishment; and also what difficulties, if any, have interfered in the final liquidation thereof.

The house being resolved into a committee of the whole, took up the report of the committee of claims in the case of William Henderson. It appeared that his house at Monday's Point, in Virginia, had been occupied by troops during the late war, under command of the petitioner, and was, on that

account, supposed to have been destroyed by the enemy. Mr. *Bull* warmly advocated the claim, and was joined by several other members. It was opposed by Messrs. *Williams* and *McCoy*, on the ground that it was a wanton destruction on the part of the British, not justified by the laws of nations, and that if all such cases were to be provided for, the treasury would be exhausted by them. At length, the report of the committee was reversed, and then, in the house, the report was re-committed, with instructions to report a bill allowing the petitioner the sum of 2,765 dollars, as an indemnity for the losses sustained by him.

Adjourned to Monday.

Monday, Jan. 21. Many petitions were presented and reports received, which shall be noticed in their progress as necessary.

Mr. *McCarty* submitted for consideration the following resolution:

Resolved, That the president of the United States be requested to inform this house whether any person has been employed by him to visit the Indian tribes on our borders; and, if so, what was the purport of his commissions; and what compensation has been allowed him for his services; also, whether any report has been made by this agent—and, if any, that he cause the same to be laid before this house.

The resolve lies over one day of course.

The speaker also laid before the house the following letter from the secretary of the treasury, viz:

Treasury department, 19th Jan. 1822.

SIR: I have the honor to transmit herewith, for the information of the house of representatives, an estimate of appropriations, proposed for the service of the year 1822, amounting to \$8,891,285 48.

For the civil list	\$868,603 42
For miscellaneous expenses	456,375 60
For foreign intercourse	148,000 00
For military department, including pensions, arming the militia, Indian department, and arrearages	5,165,896 19
Naval establishment, including the marine corps	2,252,410 27
	\$8,891,285 48

The funds from which the appropriations for the year 1822 may be discharged, are the following, viz.

1st. The sum of six hundred thousand dollars, annually reserved by the act of the 4th of August, 1790, out of the duties and customs, towards the expenses of government.

2d. The surplus which may remain of the customs and arrearages of internal duties and direct taxes, after satisfying the sums for which they are pledged and appropriated.

3d. Any other unappropriated money which may come into the treasury during the year 1822.

I have the honor to be, very respectfully, sir, your obedient servant,

WILLIAM H. CRAWFORD.

The hon. speaker of the house of representatives.

The documents above described, were ordered to be printed for the use of the house.

On motion of Mr. *Sergeant*, the house then resolved itself into a committee of the whole on the bill to establish an uniform system of bankruptcy, Mr. *Taylor* in the chair.

The first section of the bill being under consideration—

Mr. *Sergeant* then rose and delivered a speech of considerable length—but being interrupted by a message from the senate, and the usual hour of adjournment having arrived, the committee rose, reported progress, and had leave to sit again.

Tuesday, Jan. 22. After the disposition of much minor business, the house resolved itself into a committee of the whole on the bankrupt bill, when Mr. *Sergeant* resumed and concluded his able speech in favor of its passage. Mr. *Stevenson* then rose and moved to strike out the first section, with a view to try the sense of the house on the principle of the bill—if it should appear that there was a majority in favor of legislating on the subject, it would then be advisable to make the details as perfect as possible. Mr. *Sergeant* expressed his assent to this course of proceeding, and Mr. *Stevenson* moved that the committee should rise, the hour of adjournment having passed. Mr. *Woodson* made some remarks with a view to extend the operation of the bill to the agricultural interest, and, Mr. *S's* motion being waived, he offered the following amendment:

"That all classes of the community, other than the description of persons before mentioned, shall have the privilege, at their election, of becoming voluntary bankrupts, and with the consent and approbation of a major part in value of all the creditors of such voluntary bankrupt previously obtained and duly certified. And that such bankrupt shall be subjected to the same proceedings, and liable to the same penalties, fines and forfeitures, and be entitled to all the privileges, benefits, and advantages, as are provided for, and made applicable to all other bankrupts, by the regulations of this bill.

After which, the committee rose and the house adjourned.

Wednesday, Jan. 23. After the transaction of other matters—

On motion of Mr. *McCoy*, the house agreed to consider the resolution by him submitted on Friday last, for the adoption of a rule that no petition for a claim of any description shall be received, unless accompanied by evidence, shewing that the claim had been made at the proper department and disallowed, and stating the reasons of such disallowance.

Mr. *McCoy* supported the resolution—there were strong reasons for adopting it—two thirds of the business consisted in the investigation of papers which might, with greater propriety, be referred to the different departments, and he thought that nine-tenths of the claims should be settled there, &c. Mr. *Little* opposed the resolution—most of the petitioners were unacquainted with modes and forms—they felt aggrieved and applied for relief. He thought that petitions, couched in respectful language, should always be heard, &c. Considerable debate followed; which, finally, resulted in an amendment to the original resolution, to be noticed when it is called up.

The speaker laid before the house a letter from the secretary of the navy, transmitting a statement of the contracts made by the commissioners of the navy during the year 1821.

The speaker also laid before the house a report, by the second auditor of the treasury, of accounts which have remained unsettled, or on which balances appear to have been due more than three years, prior to the 30th Sept. 1821, as appears from the books of his office.

The orders of the day were then called up, when the house resolved itself into a committee of the whole on the unfinished business of yesterday, (the bankrupt bill), Mr. *Taylor* in the chair.

Mr. *Woodson* withdrew his proposed amendment—the question then recurred on the motion of Mr. *Stevenson* to strike out the first section, which he advocated in a speech of much length. After which the committee rose, &c.

Mr. *Sawyer* made an ineffectual attempt to change the hour of meeting from 12 to 11 o'clock. And the house adjourned.

THURSDAY'S PROCEEDINGS--SENATE.

January 24. *Cæsar A. Rodney*, recently elected a senator from Delaware, appeared and took his seat.

Mr. Holmes reported a bill to authorize an agent and a register of the bank of the United States, to sign and countersign its notes; and making it penal for the officers of the bank to embezzle any of its funds, &c.

Mr. Thomas reported a bill to authorize the legislature of Illinois to open a canal through the public lands, to connect the Illinois river with lake Michigan.

The following resolution, submitted by *Mr. Rugles* on Tuesday, was taken up and agreed to:

Resolved, That the secretary of state be requested to transmit to the senate the returns of manufacturing establishments and manufactures, taken by the marshals of the several states, under the act of the 14th of March, 1820, "providing for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes."

Mr. Johnson's resolution, submitted yesterday, to check piracies in the Gulf of Mexico, &c. was taken up, and, after debate, substantially agreed to.

The bill to grant certain lands in Louisiana was, after debate, ordered to be engrossed for a third reading.

HOUSE OF REPRESENTATIVES.

Thursday Jan. 24. *Mr. Cannon*, after a speech of some length and an exhibit, submitted a resolution which had for its object a re-organization of the regular army, to disband supernumerary officers, &c. which, being somewhat modified, was agreed to.

Mr. Buchanan submitted a resolution about the militia fines collected in Pennsylvania, during the late war, which shall be noticed at length in our next paper.

Mr. Sterling, of N. Y. offered for consideration the following resolution:

Resolved, That the secretary of the treasury be directed to report to this house the number of land offices established by law in the different states and territories, designating the number and location in each state and territory, the annual expense to the nation of supporting said land offices, the amount of money received at each during the years 1820 and 1821, and whether, in his opinion, the public good requires the increase or diminution of said land offices, or any alteration in the location of the same; and, if any increase is required, in what state or territory the same ought to be located.

This resolve lies over one day by rule.

On motion of *Mr. Leftwich*, it was

Resolved, That the committee on military affairs be instructed to inquire whether any clerks in the departments have entered into contracts with the government: also, upon what terms the contracts (if any) have been made, and the propriety of prohibiting such engagements in future.

Mr. Stewart called for the consideration of a resolution, submitted by him some days since, to authorize the application of an unexpended balance to repair the Cumberland road, &c.

Mr. Williams, of N. C. moved to amend the resolution so as to direct the committee to inquire into the expediency, &c. instead of prescribing a positive direction.

Some debate took place, and the manner of the resolution was changed; after which it passed.

Mr. Moore, of Alabama, presented certain resolutions of the legislature of that state, instructing their senators and representatives in congress to use their exertions to obtain the annexation of certain parts of West Florida to the state of Alabama. *Mr. M.* moved that the reading of said resolutions be dispensed with, and that they be referred to the committee heretofore appointed on that subject.

Mr. Floyd opposed any reference of the resolutions until their contents were known. He believed it was an unprecedented proposition.

Mr. Moore observed, that, having proposed the reading, a few days since, of certain doings of the legislature of Alabama, which was objected to, he had, therefore, thought it inexpedient to trouble the house now with the reading:

Considerable debate ensued on a point of order—but the proceeding suggested by *Mr. Moore* was sustained.

The resignation of *C. A. Rodney* as a representative from Delaware, was received—as was also the census of Kershaw district, S. C.

Among the petitions presented some days ago, was one by *Mr. Rhea*, from the seventh convention of the Manumission Society of Tennessee, praying that provision may be made whereby all slaves, which may hereafter be born within the District of Columbia, shall be free at a certain period of their lives, and that congress will give every facility in their power to effect a final abolition of the system of African slavery within the U. States; which memorial was referred to the committee on the judiciary.

CHRONICLE.

The *U. S. schooner Shark*, *M. C. Perry*, commander, has arrived at New-York, after a cruise of 162 days among the Canaries, Cape de Verds and on the coast of Africa—during which she lost but two men, who were drowned. This shews an excellent attention to preserve the health of the officers and crew. She boarded many slaving vessels—as many as it was thought would carry off 6,000 slaves, chiefly under the French and Portuguese flags, but did not over-haul any one of which she could make a lawful prize. It was estimated at Sierra Leone, that 50,000 slaves had been sent from the coast in the last 12 months. On board of a French slave vessel, it was ascertained that the allowance to the miserable wretches that she contained, was a bottle of water and an ounce of rice per day! We have no encouraging views of the state of our colony—two-thirds of the emigrants are said to have died.

Mail robbery. The *way-mail*, between New York and Philadelphia was lately stolen from the boot of the coach, in the body of which we suppose it ought to have been carried, and completely rifled. It is said there was not much spoil in it—100 dollars reward are offered for apprehending the robber.

Two Indians—one that murdered Dr. Madison and another who murdered Charles Ulrick, were executed at Detroit on the 27th ult. After their condemnation, they frequently acknowledged the justice of their sentence, and, in their own way, prepared themselves to meet their fate. They were very anxious to obtain tobacco and pipes, which they carefully laid aside as an offering to the Great Spirit—they contrived a sort of a drum, and were often engaged in their death dance. Being presented with some red paint, they painted the walls of their cell, and even their blankets, with the figures of men, quadrupeds and reptiles, &c. together with the representation of an Indian hanging by his neck. They ascended the scaffold firmly, but not indifferently; asked pardon for the crimes they had committed and were launched into eternity.

A penitentiary! Many stores were robbed some time ago in Boston, by means of false keys. A letter from a convict in the state prison at Charlestown, says that the robberies were planned and the keys manufactured in that institution!

NILES' WEEKLY REGISTER.

NEW SERIES. No. 23—VOL. IX.] BALTIMORE, FEB. 2, 1822. [No. 23—VOL. XXI. WHOLE No. 543

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The present volume of the REGISTER drawing to a close, its few numbers yet to be printed will necessarily be chiefly appropriated to the notice or insertion of matters that belong to its period, for reading or reference: hence several fresh subjects, about which we have a strong desire to say something, must, at least, be postponed.

POSTMASTER AT ALBANY. As this late appointment will probably be productive of important political events—and as the documents that belong to the transaction are of an interesting character, we give the whole of them, together with an account of the meeting held at Albany, &c.

Subsequent information has induced us to the change of an opinion expressed in our last, that the appointment of general Van Rensselaer would be as a new "apple of discord" to New-York: we now believe that its effects will be the reverse of what was apprehended.

THE CENSUS. We now have the returns of Kershaw district, S. C. as follows: White males, 2,887; do. females, 2,741; male slaves, 3,357; female slaves, 3,335; free colored males, 47; do. do. females, 65. Total 12,432. Which added to the census (without Kershaw) of 490,309, makes the population of South Carolina 502,741; and the total population of the United States, as at present ascertained, is 9,637,976; of whom 7,741,610 are free white persons; 353,238 free colored and other free persons except Indians not taxed; and 1,533,128 slaves.

When we publish our comparative tables of the population by counties, which cannot be until after the close of the present volume, we shall repeat the tables published in our last, corrected, and keep the whole in one body for easier reference.

There is some talk of a supplementary return from Alabama. It is said that the population of this state is really about 150,000—of whom 100,000 are free whites, the rest slaves. No southern district has had such a rise of population as Alabama: but as yesterday, it was hardly trodden by the foot of a white man—its population is thought to be double that of its parent state, Mississippi, and nearly equal to that of the long-settled and rich country which forms the state of Louisiana.

The slaves, in all 1,533,128, have a representative number of 922,876—and, if the ratio is fixed at 42,000, will be the means of sending to the house of representatives no less than twenty-two members.

FOREIGN NEWS—we have not. We are now about eighty days without intelligence from England or France. It is probable that our next advices will be important as to the condition of things between the Russians and Turks. Deeply interested in the struggle of the Greeks, we are rather impatient to hear of their progress and prospects.

SMALL POX. This loathsome and destructive disease prevails pretty extensively in Baltimore, and has recently made its appearance in some other places. The last two weekly reports of interments exhibit twenty-six deaths by it. Another disease, or at least another species of the same disease, has also appeared here which the doctors call the va-

rioloid—it resembles the small pox, we understand, in its operation and effect; but is much less violent, and readily yields to medicine and good nursing.

MONROE COUNTY, N. Y. In the Register of the 5th inst. page 295, we noticed the condition of things in Ontario county, New York, as ascertained by a late census taken under the authority of the state, at which many persons expressed their astonishment and pleasure. To shew that so happy a state of society is not confined to one county, we have had the satisfaction to notice a similar exhibit of facts for Monroe county, recently formed out of Ontario and Genessee, and supposed to contain 26,760 inhabitants.

Abstract.—Monroe county contains 1804 freeholders, of the age of 21 years and upwards; 73,213 acres of improved land; 22,552 neat cattle; 4126 horses, 44,987 sheep: has 30 grist mills, 80 saw mills, 2 oil mills, 15 fulling mills, 16 carding machines, 3 cotton and woollen factories, 4 iron works, 2 trip hammers, 38 distilleries, and 44 asheries.—During the preceding year, 44,798 yds. of fulled cloth, 47,475 do. do. not fulled, and 163,446 do. of linen and cotton cloths, were manufactured in families in the county—the product of the large establishments is not stated.

Results. About one third of the adult males are freeholders, and among them have an average possession of about 44 acres of improved land; the neat cattle is nearly one for every person in the county; the horses is about as one to five persons, and the sheep nearly as two to one; and, as 195,739 yards of cloth were manufactured in families, there was an average of 7½ yards made for each of the whole population, besides what the factories furnished.

MINT OF THE U. STATES. There have been struck during 1821, 34,641 half eagles, 6,448 quarter eagles, 1,303,597 half dollars, 216,851 quarter dollars, 1,186,512 dimes, and 389,000 cents; in all 3 139,249 pieces of coin, of the value of 1,018,977 dollars 45 cents.

PUBLIC BUILDINGS. According to the annual report of the commissioner of the public buildings, the following sums have been expended during the year 1821—

Centre building of the capitol	\$102,314 29
Capitol square	2,000 00
Covering the roof of the president's house with copper	5,406 32
Slating the old executive offices	5,726 67
	\$115,456 28

About 300 dolls. will be required for some finishing to the roof of the president's house—but all the above work will have been done for about 11,000 dollars less than the appropriation.

REES' CYCLOPEDIA. The last number of this splendid work has just been published at Philadelphia—it contains one hundred and forty-seven highly finished engravings, and is said to have cost the proprietors more than 11,000 dollars. Thus the bold attempt, in the way of publication, ever made

in the United States, has succeeded—after encountering the severest and most distressing obstructions and difficulties; and the public are in possession of a work honorable to the enterprize and state of the arts in America—it is equal, indeed superior, to the last British edition, and its price is about one half less.

Now is the time for those possessed of parts of the work to complete their sets; and, unless this be attended to promptly, there is great danger, if not a reasonable certainty, that such sets cannot be completed hereafter, unless at much extra cost of trouble and money. It is not necessary to speak of the merits of the *Cyclopedia*, or of the additions made to the work in its passage through an American press—it is, perhaps, the most complete literary and scientific collection ever made in the English language, and is an extensive library in itself.

We regret to hear that the spirited publishers have long since given up the hope of making a profit on the work, however much they may have deserved it. But, if they are to sustain a loss, we hope that those who originally patronized the undertaking, will not suffer damage also, by suffering their sets to remain incomplete, and so become nearly useless.

FAMILY MATTERS. A writer in the Lancaster "Intelligencer," notices a *family affair* in supplying clothing for prisoners in a jail, which appears to have cost an enormous sum. Those who ordered the clothes, those who furnished them, those who adjusted the public accounts and the person that finally paid the money, were very happily connected by the ties of kindred; and it is made out that they had been very accommodating to one another. There is not any thing wonderful in this—he that provideth not for his *own family* is worse than an infidel.

FROM WASHINGTON. A friend in Washington attributes a subsiding of the discussion about the next president to the disapprobation of it manifested by the *people*; hence, he thinks, that they have some influence left, and expresses a hope that they will not fail to declare their sentiments freely on other subjects equally interesting to them. The letter proceeds—"Some suppose that if we remain in session until the middle of May, we shall adjourn with a press of matters upon us, and meet again in a *hurry* some weeks sooner than the usual period, with a view to take up the unfinished business; and even then, perhaps, shove it off until the last few days of our political existence as a body. Some cannot perceive any thing reprehensible in borrowing money, provided it can be obtained at a *long credit*, on *five cent. interest*. Some think (if we can believe that they think!) that it is quite immaterial whether our resources are sent out of the country to support foreign labor, or retained at home for the promotion of domestic industry, provided we can obtain *import* and buy cheap. Some, who seem zealous to avoid the trouble of even pretending to think, appear willing to *leave things to themselves*—and trust the revenue and expenditure, and all else of national concern, to the operations of accident and legislation of chance. But some are resolved not to "give up the ship."

NEW-YORK. It affords us much pleasure to believe that the political feuds which have so long agitated the state of New-York, are about to be quieted; and that all persons professing the same principles will soon be united in "common efforts for the common good."

The well wishers of the nation—those in every state of the union who have brought themselves to regard the prosperity of a part as an advantage to the whole, without taking any side in the political contests of New York, have lamented the waste of strength upon them, by which that state has been deprived of its just weight in matters of much greater moment than the election of this man or rejection of that. With the highest respect for the opinions of gentlemen who have warmly participated in these contests, we apprehend, if their motives were analyzed, that *personal* considerations would be found to have had more to do in them than a regard for *principle*—though, in some cases, they may have been so intimately connected as almost to render it impossible to separate or distinguish them. In the body of the people of New York, there cannot exist any material difference of principle, and the greatness and glory of the state must be dear to the heart of every one of its citizens; and thousands of those who have so decidedly opposed one another at the polls, if they had sat down together and reasoned with each other, would have discovered that their purposes were really the same, though acting so differently to bring them about. There are three parties in New-York—two calling themselves "republican" the other "federal." One of the two former has obtained a triumphant ascendancy, and seems disposed to extend the "hand of fellowship" to the other. We hope that it may be extended and accepted, without condition on either side, save a promise to forget the past, and to unite in common objects for the welfare of New-York and the United States, in future; to act together, and exert their mighty resources to our advancement in all honorable pursuits. Let there be no more quarrellings about *men*—and, if differences of opinion shall still exist as to the policy of measures, let the good of the matter at issue be calmly investigated and determined by the will of the majority of those who ought to have but one feeling about it. Then will the local advantages of New-York, her great population and habits of industry, be brought into action, and the state go on to prosper—as we wish that every other state may do.

The general amount of the preceding also applies to "honest *Pennsylvania*," and, notwithstanding certain late reactions, I trust that her people will also discover and remedy the evils that belong to "a house divided against itself." She possesses all that is requisite to make her imposing—and much to be regretted it is, that her virtuous principles and enlightened views of things should be diverted from their rightful operation by *electioneering*.

We never have taken any part in the political contentions in either of those states—we never shall: but knowing the private worth and genuine patriotism of many gentlemen in both, enlisted on opposite sides, we have oftentimes wondered that they could be induced to carry things to the lengths that they have done, and believed that it chiefly resulted from the want of a careful examination and correct understanding of the objects of one another.

OFFICERS OF THE CUSTOMS. We congratulate our readers that a bill, reported by Mr. Holmes, to regulate the compensation of officers of the customs, will probably become a law. The people have been wretchedly imposed upon and filched of hundreds of thousands of dollars, which, instead of going into the public treasury, have been lavished on individuals, without the shadow of a corresponding be-

nefit. Mr. Crawford, to his just credit be it said, has several times pressed the passage of a law to save 100,000 dollars a year in the cost of collecting the impost—(about one seventh of the whole charge for that service), but without effect; and, as far as we can judge by what we have seen, the present bill goes even beyond his recommendation, though, perhaps, it does not reach the extent that it might be prudently carried to. We hail it, however, as an evidence of a returning disposition to practice old habits, and as shewing a determination to reduce the present abominable distinction that exists between the *payers* and the *EATERS of taxes*. The latter have been pampered long enough, and should be content with the spoils that they have made. When we receive the "*red book*," we shall exhibit the profits of some of them to our readers. We are friendly to liberal salaries and handsome allowances—but hate prodigality and waste.

INDIAN CIVILIZATION. The report of the secretary of war, on the expenditures made under the act to provide for the civilization of the Indian tribes, dated on the 19th ult. states that the total amount disbursed by government for this humane object, from February 12, 1820, to December 24, 1821, is \$16,605 80.—The secretary annexes certain regulations, so be observed by such individuals as may establish themselves as teachers among the Indians: the concluding paragraph enjoins it to be their duty, to set an example of sobriety, honesty and industry, and to impress on their minds the benevolent purposes of government towards them:—a contrary course of conduct will incur the displeasure of government, &c. The instructions given to the rev. Mr. J. Morse, by the secretary of war, are added; which are briefly, to ascertain the actual condition of the Indians, their numbers, *territory, soil, the disposition* of their influential men, number of schools, state of their trade, &c. This tour of observation, we learn, has been completed, and the interesting report of Mr. Morse has been submitted to congress.

Wash. City Gaz.

AMERICAN LONGEVITY. "The Americans are short-lived," said an Englishman to Franklin. "That is not ascertained," returned the doctor, "for the children of the first settlers are not yet dead."

Mrs. Phoebe Johnson, is yet living in Columbia county, Georgia. She arrived in that country with her husband in 1732, was the *first white female that ever landed in it*, and is now 109 years old.

THE LATE SHIP WASP. *Navy department Jan. 22, 1822.* The survivors, heirs and legal representatives of the officers and crew of the United States' late ship Wasp, Johnston Blakeley, esq. commander, are hereby notified that a moiety of the proceeds of the cargo of the prize ship Atalanta, is now placed at the disposal of the navy department of the United States; and the said prize money shall, conformably to the 6th section of the act of congress, for the better government of the navy, approved the 22d of April, 1800, be distributed among the claimants, respectively, upon application to the secretary of the navy, and transmitting a certificate, signed by a judge of some court of record, that the person or persons claiming, are; according to the laws of the state or territory in which they reside, solely entitled to the same.

Claimants will please apply directly to the department, the employment of an agent being unnecessary.

ARMING THE MILITIA. It appears, by an official document from the ordnance department, that the following articles have been procured since the 1st of Jan. 1816, under the law of 1808, "for arming and equipping the whole body of militia."

41,764 muskets; 6,236 rifles; 100 patent rifles; 27,844 pistols; 851 officers swords; 2,579 non-com. officers do.; 20,067 cavalry sabres; 1,560 cartridge boxes and belts; 1,560 bayonet scabbards and belts; 120 6-pounder iron cannon; 60 24-pounder howitzers; 7,466 6-pounder shot; 11 6-pounder carriages, with implements complete.

Another table shews the deliveries that had been made to the different states, since Jan. 1, 1816, amounting to 30,066 muskets, &c. &c. and a third shews that there was still on hand for delivery, 26,183 muskets, 6,070 rifles, 20,636 pistols, with quantities of swords, cartridge boxes, belts, &c.

BANK OF THE UNITED STATES. From the *National Gazette*. The following document is of some importance, in connection with the affairs of the bank of the United States, and the history of the late election for president and directors of that institution. It shews the proportion of stocks held in the several sections of the union:

Summary of the distribution of the stock of the bank of the United States, at several periods.

	1820. October 2.	1821. April 2.	1822. January 1.
Maine - - - - -	676	715	745
Massachusetts - - -	17,397	20,961	24,196
Rhode Island - - -	4,124	4,122	3,867
Connecticut - - -	2,109	2,141	1,809
New-Hampshire - - -	1,048	891	852
Vermont - - - - -	62	62	62
New-York - - - - -	23,543	28,116	44,290
New-Jersey - - - -	1,249	1,546	1,111
Pennsylvania - - -	37,334	36,231	37,268
Delaware - - - - -	867	867	684
Maryland - - - - -	41,528	42,702	37,748
Virginia - - - - -	17,590	16,340	15,061
District of Columbia -	2,791	2,791	2,815
North Carolina - - -	2,461	2,595	2,240
South Carolina - - -	47,458	40,199	33,444
Georgia - - - - -	7,846	8,409	3,853
Kentucky - - - - -	796	704	234
Ohio - - - - -	2,104	2,099	2,096
Louisiana - - - - -	891	908	665
Tennessee - - - - -	194	196	151
Alabama - - - - -	:	:	54
Residence unknown - -	503	803	481
United States navy - -	62	23	393
Foreign - - - - -	29,283	30,400	*28,317
Bank United States - -	38,079	36,179	37,654
U. States of America -	70,000	70,000	70,000

Shares, 350,000 350,000 350,000

IRON. From the *New York Statesman*, addressed to the committee on manufactures. Iron, of which we have a great abundance, is imported from England in chain cables, notwithstanding that better cables are manufactured here for the same money. The English importer, however, has this advantage: He has a large assortment, and consequently can supply sudden calls, (as really happens in most cases.) The captain purchases his English chain cable in New York—enters it for exportation, and obtains the drawback. Upon his arrival in Eng-

*A considerable number of these shares are the property of American citizens, and pledged for money advanced.

land, lands it, obtains a certificate from the American consul that he has done so, then puts it on board again, and uses it in all future voyages. The drawback amounts to something like \$70 in a cable worth \$400. These cables are coming into general use, and England means to supply our whole coasting trade with them. I hope and believe that a bare statement of these facts must open the eyes of every AMERICAN.

Commerce of the United States.

A volume of tables, shewing the commerce and navigation of the United States, was transmitted to congress a few days ago, by the secretary of the treasury, with the letter which follows. When these papers are printed, we shall make liberal extracts from or abstracts of them.

Treasury department, January 23, 1822.

SIR—In conformity with the provisions of the act of the 10th of February, 1820, entitled "an act to provide for obtaining accurate statements of the foreign commerce of the United States," I have the honor to submit the following statements, shewing the commerce and navigation of the United States, for the year ending the 30th September, 1821, viz:

1st. A general statement of the quantity and value of merchandise imported into the United States

2d. A summary statement of the same.

3d. A general statement of the quantity and value of domestic articles exported.

4th. A general statement of the quantity and value of foreign articles exported.

5th and 6th. Summary statements of the value of domestic and foreign articles exported.

7th. A general statistical view of the commerce and navigation of the United States; and

8th. A general statement of the amount of American and foreign tonnage, employed in the foreign trade of the United States.

From the foregoing statements it appears that the imports have amounted to \$62,586,724, of which amount \$58,025,899, were imported in American vessels, and \$4,559,825 in foreign vessels:—That the exports have amounted to \$64,974,582, of which \$43,671,894 were domestic, and \$20,710,700 foreign articles:—That \$34,455,272 were exported in American and \$9,206,622 in foreign vessels:—That 765,098 American tonnage entered the ports of the United States, and 804,947 cleared from them—and that 81,526 foreign tonnage entered, and 83,073 cleared from the ports of the United States.

I have the honor to remain, sir, your most obedient servant,

WM H CRAWFORD.

*The hon. the speaker of the
house of representatives.*

WASHINGTON, 26th Jan. 1822.

Messrs. Gales & Seaton:

Gentlemen—In reply to your note of this morning, asking information concerning certain reports of *decisions*, which have been published in several papers, as made by the commission for the adjustment of claims under the late treaty with Spain, I communicate to you, with great pleasure, a brief abstract, (for the laborious duties of my office will not afford me leisure to do more), of all that has been done; from which you may, yourselves, judge how far these reports of their proceedings are to be trusted.

In construing the treaty, the board have settled this general proposition, *and no other*—that, to entitle the claimant to have his memorial *received for examination*, he must set forth a case, the facts of which, if granted to be true, would have given him a just claim against Spain, if this treaty had not been made.

In applying this general rule, the board have decided, that the present government of Spain, one of the contracting parties in this treaty, is not responsible for seizures made by the *French*, in that part of the Spanish territory which, at the time of the seizure, was in the occupation of the French army, France being then at war with Spain. They have, therefore, rejected all claims of this description, comprehending the seizures at St. Sebastians, Bilbao, &c.

They have also decided, that the mere circumstance of carrying within the Spanish territory, as prize of war, American property captured by the *French*, on the high seas, does not, *of itself*, constitute a just claim against Spain. All memorials, therefore, representing a naked case of this kind, have been rejected. But if any act is affirmed of the government or agents of Spain, which can in any manner connect Spain with the transaction, or even show that she had knowledge of its existence, while the property was in the possession of the captors, and within her territory, then such memorials are received.

Another consequence of this general proposition is, that the condemnation of American property, captured by the *French*, and carried into the Spanish territory, and condemned while there, by courts established in French territory, does not *of itself* form a just ground of claim against Spain. And again, that injuries suffered by American citizens, whilst engaged in violating the municipal laws of Spain, within her acknowledged limits, or while hovering on her coasts for that purpose, do not constitute a just claim against Spain.

In ascertaining the amount of claims, the board have also decided, that alleged losses, which are not the direct and necessary consequence of the original wrong, ought not to be allowed; and they have rejected all claims for supposed and hypothetical injuries—which are denominated claims for *consequential damages*, to distinguish them from claims for direct and immediate injuries.

They have further decided not to receive any claims for injuries to the property of American citizens (whether vessels or cargoes), which has been purposely and falsely *documented* by them, as the property of the citizens or subjects of some other power. The operation of this rule necessarily excludes those American citizens who claim for losses sustained while trading in the character of Swedish subjects, and under the protection of the Swedish flag.

The question, whether claims for breach of contract made by an American citizen with the Spa-

Claims under the Spanish Treaty.

Having seen extracts of letters published in the eastern papers, professing to give an account of points decided by the board of commissioners, (now in session in this city), for deciding on claims against Spain under the late treaty, which extracts were generally copied into other prints, we addressed a note to the secretary of the board, requesting from him such information as should afford a just view of the business before the board.

That information is contained in the following obliging reply from Mr. Watkins, which cannot fail to be highly interesting to all who feel the least interest in this subject:

nish government are, or are not, included within the treaty, is yet before the board, undecided. Arguments have been filed on both sides of the question, and the commissioners have had them under examination; but no opinion has yet been expressed or intimated, further than to signify to the counsel for claimants, that certain points had not been satisfactorily argued by them, and that further time would be allowed them to furnish additional arguments upon each point.

You will readily perceive the difficulty of giving a detailed account of the decision in each particular case, since the number of memorials already examined, exceeds five hundred; and their separate history would occupy more time than I can spare, and more room than you could assign to the subject, without being of any correspondent utility to the public.

You are at liberty to make any use of this communication which you may think proper.

I am, &c.

T. WATKINS.

Anecdote of a Pawnee chief.

From the National Intelligencer.

The following anecdote of a Pawnee half-chief, (a son of *Old Knife*), now on a visit to this city, highly creditable to his courage, his generosity, and his humanity, is copied, with leave, from Rev. Dr. Morse's report, just presented to congress by the president. The facts in this anecdote, were taken by Dr. M. (by permission) from a very interesting journal of captain Bell, of his expedition with major Long to the foot of the Rocky Mountains, in 1820, and are sanctioned by major O'Fallon, Indian agent near the scene of the transaction here related, and who commands the Indian delegation now here.

This chief, of fine size, figure, and countenance, is now about twenty-five years old. At the age of twenty-one, his heroic deeds had acquired for him in his nation, the rank of "the bravest of the braves." The savage practice of torturing and burning to death their prisoners existed in this nation.† An unfortunate female, taken in the war of the Padnea nation, was destined to this horrid death. The fatal hour had arrived; the trembling victim, far from her home and her friends, was fastened to the stake; the whole tribe was assembled on the surrounding plain, to witness the awful scene. Just when the funeral pile was to be kindled, and the whole multitude of spectators were on the tip-toe of expectation, this young warrior, having unnoticed prepared two fleet horses, with the necessary provisions, sprang from his seat, rushed through the crowd, liberated the victim, seized her in his arms, placed her on one of the horses, mounted the other himself, and made the utmost speed toward the nation and friends of the captive. The multitude, dumb and nerveless with amazement at the daring deed, made no effort to rescue their victim from her deliverer. They viewed it as the immediate act of the Great Spirit, submitted to it without a murmur, and quietly retired to their village. The released captive was accompanied by her deliverer three days through the wilderness towards home. He then gave her the horse on which she rode, with the necessary provisions for

the remainder of her journey, and they parted. On his return to the village, such was his popularity, no inquiry was made into his conduct, no censure was passed on it. And since this transaction, no human sacrifice has been offered in this or any other of the Pawnee tribes. The practice is abandoned. Of what influence is one bold act in a good cause!

Postmaster at Albany.

FROM THE ALBANY ADUOUS, OF JANUARY 22.

GREAT REPUBLICAN MEETING.

At a general and very numerous and highly respectable meeting of the republicans of the city of Albany, held at Rockwell's mansion house, on the 21st inst. the hon. *Charles E. Dudley*, mayor of the city, was called to the chair, and *Benjamin Knowler*, esq. treasurer of this state, was appointed secretary.

The object of the meeting was briefly stated from the chair, and the following correspondence read, relating to the recent appointment of deputy postmaster for this city:

Washington City, Jan. 9, 1822.

GENTLEMEN—The enclosed letters shew the ground we have taken, in regard to the appointment of a postmaster of your city. Of the result, you have been already advised. Aware of the dissatisfaction which exists in our state, with the course of appointments in the post office department, and of the impression common to our political friends, that the political characters of the applicants to that department, were not as much regarded as justice and good policy required, we deem it advisable to embrace this occasion to impose on the postmaster general the necessity of passing distinctly on that question. We were also apprehensive, that, from the circumstance of political fidelity being so justly appreciated with you, you would naturally suppose it was to the same extent elsewhere, and might, on that account, be inclined to attribute obnoxious appointments rather to remissness on the part of your friends here, than to the true cause. You have now the same means of judging as ourselves, how far you may, with propriety, regard the appointment in this case as deciding that, in the administration of the post-office department, political distinctions give no preference.

That you will be disappointed and mortified, we can readily believe; but we trust that you will not be disheartened. While there are no men in this country more inured to political suffering than the republicans of New-York, there are none who have stronger reasons to be satisfied of the irrepressible energy of the democratic party, and that no abuses of their confidence can long remain beyond their reach and plenary correction. On this conviction we trust you will repose yourselves, and act accordingly.

With respect and esteem, your ob't serv'ts,
DANIEL D. TOMPKINS,
M. V. BUREN.

To Benjamin Knowler, Charles
E. Dudley, Roger Skinner,
John Stillwell, &c. &c.

CORRESPONDENCE.

Washington, Jan. 3d, 1822.

SIR—We have been informed that it is in contemplation to vacate the office of deputy postmaster for the city of Albany. The importance of the station, not only to the citizens of Albany, (but, from the circumstance of its being the principal distributing office in the state), to our citizens ge-

*The braves are warriors who have distinguished themselves in battle, and stand highest in the estimation of the tribe.

†The custom does not exist in the surrounding tribes.

nerally, induces us to request that we may be informed of the determination of your department, before the vacancy is supplied: our object is to secure a fit and full opportunity to all concerned, to make their representations to you on the subject.

Will there be any objection to a compliance with our request?

Yours, respectfully,

R. KING,
M. V. BUREN.

The postmaster-general.

General Post-office, Jan. 4, 1822.

GENTLEMEN—I had the honor to receive yours of yesterday.

It has become necessary to appoint a new postmaster at Albany. An application, made by friends of general Van Rensselaer, is now before the president, for his consideration.

It is desirable that an appointment should be made without much delay.

I have the honor to be, with respect, your ob^t

R. J. MEIGS, Jr.

Hon. Rufus King, }
Hon. M. V. Buren. }

Washington, Jan. 4, 1822.

SIR—Having been informed by your note of this morning, that the present deputy postmaster at Albany is to be removed, we have to request that the appointment of his successor may be delayed long enough to enable the citizens of that place to express their wishes on the subject. We do this in consideration of the importance of the appointment, and under a conviction that they are not apprized that a new appointment is at this time to be made. Should you think proper to comply with our request, we propose two weeks, as the requisite time, and, in that event, you will please to inform us whether the consideration of the question is still with the president; in order that the citizens of Albany may be informed to whom their communications may be addressed.

We request the favor of your answer in time to enable us to make the requisite communication by the next mail.

Yours, very respectfully,

DANIEL D. TOMPKINS,
RUFUS KING,
M. V. BUREN.

The postmaster-general.

General Post-office, Jan. 4, 1822.

GENTLEMEN—I have the honor to state, in reply to yours of this date, that the president has not decided or directed, in the case of the expected vacancy of the office of postmaster at Albany. It is desirable that a new postmaster should be appointed, without much delay. If the president thinks proper to have the appointment delayed, it will be so. The president, this day, referred me to the secretary of the navy, upon whom I called, who informed me that he would communicate with me to-morrow.

Very respectfully, your most ob^t serv^t,

R. J. MEIGS, Jr.

Hon. D. D. Tompkins, }
Hon. Rufus King, }
Hon. M. Van Buren. }

Washington, Jan. 5th, 1822.

SIR—The enclosed letters explain our wishes and the object of this application. If the delay we

ask can be granted, we would be much obliged by being apprized of it in season to write home by to-morrow's mail. Sensible of the deep interest which our citizens will, for a variety of reasons, take in the question, I would much regret a decision without affording them an opportunity to be further heard.

With great respect, your obedient and very humble servant,
M. V. BUREN.

The president.

P. S. If proper, I wish the letters may be returned to me.

Note—The preceding correspondence with the postmaster-general, together with the following letter, were the letters above referred to.

To the president of the United States.

SIR—We unite in the request which has been made for the postponement of the appointment of deputy postmaster for the city of Albany (in case the removal of Mr. Southwick be determined on), until an opportunity can be afforded to the citizens of that place, to express their wishes on that subject, and earnestly solicit that the same may be complied with.

We have the honor to be, very respectfully, your obedient servants,
JAMES HAWKS,
T. H. HUBBARD,
RICH'D MC CARTY,
R. H. WALWORTH,
NATH'L PITCHER,
ELISHA LITCHFIELD,

JER'H H. PIERSON,
SAM'L CAMPBELL,
W. B. ROCHESTER,
Wm. W. VANWYCK,
D. WOODCOCK.

Washington, Jan. 7th, 1822.

SIR—I have received your letter, requesting a postponement of any appointment to the vacancy in the post office at Albany for a specific term. As this case is connected with others, and involves a principle in the administration of the post-office department, I have, on that account, as well as my respect for you and the other gentlemen who have united in making the request, bestowed on it all the consideration which it justly merited.

By the law establishing the post-office department, the appointment of all the officers employed in it, under the postmaster general, is exclusively vested in him, without reference to the president. Had it been intended that the president should control the appointments in detail, or take any agency in them, the provisions of the law, and the powers granted by it, would have been different. Such, also, according to my experience and information on the subject, has been the uniform practice of the executive. For these reasons, I deem it improper to interfere.

I am, sir, with great respect, your very ob^t serv^t,
JAMES MONROE.

Hon. M. Van Buren.

Washington City, Jan. 6th, 1822.

SIR—If our application for delay, in regard to the appointment of deputy postmaster at Albany be denied, we have to request that you will indulge us with an opportunity of making further communication to you on the subject, before the ultimate decision be made.

We have the honor to be your obedient and very humble servants,

DANIEL D. TOMPKINS,
M. V. BUREN.

The hon. Return J. Meigs.

General Post-office, Jan. 7th, 1822.

GENTLEMEN—I do not deem it expedient to delay the appointment of a postmaster at Albany. I can have certainly no objections to receive from you any communications which you may be pleased to make on that subject.

I have the honor to be, respectfully, your obedient servant,

R. J. MEIGS, Jr.

Hon. D. D. Tompkins,

Hon. M. V. Buren.

[Received at sun-rising, Jan. 7th, 1822.]

Immediately wrote him a note, that, as the delay solicited could not be granted, he would receive the communication contemplated by the note of Mr. V. B. and myself on Saturday by 1 o'clock. Mr. Stevenson delivered the note personally, and Mr. Meigs was pleased to say he would wait accordingly.

D. D. T.

Washington, Jan. 7th, 1822.

Sir—Having understood from you that the postmaster at Albany was, at all events, to be removed, and sensible that such an event was not so known or expected by the citizens of that place, as to afford them an opportunity to express their wishes as to his successor, we, on Friday last, united in a request for a postponement of the subject until they could be apprized of the determination of your department. In reply to our note, you was pleased to say, that the consideration of the subject was with the president; and that if he directed the postponement, it might be granted. Under an impression that that question was still open with the president, we applied to him; and it appears by a note, which he has this moment enclosed to us, and which we here transmit to you, that a great proportion also of the representatives of our state, most of whom had signed Mr. Van Rensselaer's application to you, addressed a note to the president, earnestly soliciting the delay asked for by us.

At an early hour this morning, we were informed by you, that you do not deem it expedient to delay the appointment, but declaring your readiness to receive the communication we had requested an opportunity to make, before your ultimate decision on the question was made. Under these circumstances, we take the liberty of recommending to you, for the appointment of deputy postmaster at Albany, John Lansing, jr. esq.

Mr. L. is one of the few surviving patriots of the revolution; he was a member of the convention which framed the constitution of the United States, and of that which adopted it in the state of New-York; has been chief justice of the supreme court, and chancellor of the state, which latter place he held until he arrived at the age of sixty, when, by the constitution, he was disqualified from continuing in it, and reduced to the station of a private citizen. His integrity and capacity are unquestionable; and the appointment, in a pecuniary point of view, would, perhaps, be important to him, and to a numerous and amiable family. We feel, sir, that we speak correctly, when we say, that nothing would be more grateful to the feelings of the people of our state, than to see an old patriot thus provided for in the evening of his days.

Of general Van Rensselaer, we have no desire to say any thing which might excite personal prejudice; that his conduct has been that of a gallant man, we cheerfully admit. But we submit to your consideration, how far he has partaken of the justice of his country. It cannot be unknown to you, that the United States have granted him a liberal pension for life, which, with becoming munificence, was allowed to commence many years back; inde-

pendent of which, he has, for a long time, held a lucrative office in the state of New York, under several successive administrations of different and hostile political sentiments. Mr. Lansing is now, and always has been, a firm and inflexible republican, zealously devoted to the maintenance of the great republican party of the union. Mr. Van Rensselaer has, throughout, been a warm, active, and indefatigable opponent of that party.

We will not discriminate between the pretensions of the two gentlemen, on the score of capacity and integrity, but assume what we feel confident will not be denied by the friends of Mr. Van Rensselaer, that Mr. Lansing's are at least equal to his. In this view of the subject, we wish to submit to you, whether the preference ought not to be given to Mr. Lansing, because he belongs to the republican party, and to secure a decision upon that question by your department, we now propose, that, if any objections are made to Mr. Lansing, which have weight with you, we will suggest the name or names of other respectable republicans of the city of Albany, to whom the appointment will be acceptable.

Knowing, as we do, that the republicans of the state of New York, will regard it as a matter of great importance, that the post-office at the seat of government should be in the hands of a gentleman of the same political character, with themselves; and anxious that they should fully understand the principle which in this particular governs your department, we have felt it to be our duty and our right to present, on this occasion, that question, respectfully, but distinctly to your decision. We forbear discussion on the matter and therefore content ourselves with observing, that whatever might be the correct course as to removals from office, at this time, when the feelings of party are in some degree relaxed, we had flattered ourselves with the hope that for new appointments at least (all other matters equal) a preference would be given by every department of a republican administration, to its republican supporters. There is one more point of view in which we wish to present this matter to your consideration.

General Van Rensselaer held the office of adjutant general, of our state, for many years, and as we have before stated, under different administrations. In the severe and trying contest in which the republicans of that state, have for some years past been involved, he yielded his undivided exertions against them, and was a zealous and efficient partizan.

Having succeeded in wresting the power from the hands of their adversaries, the government of that state, only last winter, thought, proper to extend to him, the rule which had, with an unsparing hand, been applied to their friends, by removing him from office. The people of this state have at two successive elections, by large and decisive majorities, approved the course of those whom they entrusted with the power of the state. You can very readily estimate the feelings with which they will learn, that a department of the general government has so soon, and under such circumstances, conferred an office which will give him much more political influence and consideration among them, than the one of which they have deemed fit to deprive him; and will determine to what respect those feelings are entitled.

With respect, your ob't serv'ts,

DANIEL D. TOMPKINS,

M. V. BUREN.

The hon. Return J. Meigs, jun.

General Post-office Jan. 8th, 1822.

Gentlemen.—Your communication of yesterday I had the honor to receive, and to give it an attentive perusal, and a respectful consideration.

I regret that on a view of the whole subject, I have not been able to accord with your views and opinions.

With high respect I am your most ob't serv't

R. J. MEIGS, Jr.

*The hon. D. D. Tompkins,
The hon. M. Van Buren.*

After the reading of the above correspondence, John Savage, esquire, addressed the meeting in an able and dignified speech of about half an hour.—We have neither time nor room at present to give any account of this or the other speeches which were made on the occasion. Mr. Savage concluded by moving that a committee should be appointed to draft and report to the meeting, resolutions expressive of their sentiments on the subject, for the consideration of which they had assembled.

Messrs. John Savage, Elisha Dorr, John Stilwell, J. V. N. Yates, and John O. Cole, were appointed a committee for that purpose; and, after having retired for some time, reported the following resolutions, which were unanimously adopted.

Resolved, That the appointment of Solomon Van Rensselaer, to be deputy postmaster for this city, is contrary to the wishes and repugnant to the feelings of its republican inhabitants.

Resolved, That the refusal of the postmaster general, to delay the appointment of a successor to the late deputy postmaster for this city, long enough to enable its citizens to express their wishes on the subject, was unjust and arbitrary; disrespectful to the distinguished individuals who requested it, and not less insulting than oppressive to the community, in whose behalf such request was interposed.

Resolved, That the preference given by a member of the republican administration of the general government, to a zealous and unrelenting enemy of the republican party—to one who, notwithstanding he continued an active and hostile partisan, owed to that party, both the opportunity of distinguishing himself in the late war, and the ample reward he had received for all his services; the preference of such a man, when other considerations were virtually acknowledged to be equal, to the eminent, venerable, and inflexible republican, whose name was brought forward on the occasion, or to any other republican to whom the office might have been acceptable; was a dereliction both of common justice and political fidelity, and calls for the reprobation of every republican who values the honor of its party, and the ascendancy of its principles.

Resolved, that although the postmaster general of the U. States, by giving such a preference in regard to an office within his immediate disposal, has forfeited our respect; yet our confidence in the national administration (of which we have ever been sincere and not inefficient supporters) remains undiminished; and we firmly rely on the justice and patriotism of the president, for constitutional redress of the injury which our interests and honor have alike sustained.

Resolved, That a committee of five be appointed to prepare a memorial and remonstrance to the president of the U. States, representing in the most respectful manner, the sense of this meeting in regard to the conduct of the postmaster-general, referred to in the foregoing resolutions, and that the

said committee consist of Jesse Buel, Abraham Ten Eyck, Junr. William Mayell, Welcome Esleek, and Herman Jenkins.

Resolved, That the thanks of this meeting, be presented to the vice-president of the United States, and to the senators of this state, in congress, for their prompt interference to prevent the appointment of a deputy postmaster for this city, until an opportunity had been offered for ascertaining the sentiments of its inhabitants.

Resolved, That the thanks of this meeting be presented to those republican members of the house of representatives, from this state, who subsequently united in a request for the postponement of that appointment, until such opportunity had been afforded.

Resolved, That the thanks of this meeting be presented to the vice president of the U. S. and the hon. Martin Van Buren, one of the senators of this state in congress, for their recommendation of a republican successor to the late deputy postmaster for this city: upon the grounds taken by them in their letter to the postmaster-general; and for their solicitude in regard, both to the interests of this city, and the integrity of the republican party.

Resolved, That a committee consisting of Messrs. I. Savage, J. Buel, J. V. N. Yates, E. Dorr, M. I. Cantine, and the chairman and secretary, be appointed to transmit the memorial now adopted, to the president of the United States, and to correspond with our republican friends in this state, and throughout the union, in relation to the objects of this meeting.

Resolved, That the proceedings of this meeting be signed by the chairman and secretary, and published in the republican newspapers in this city.

The committee appointed, in pursuance of the above resolutions, to prepare a memorial and remonstrance to the president of the United States, reported the following, which was unanimously adopted by the meeting:

MEMORIAL.

To the president of the United States.

Sir—Possessing the highest confidence in your administration, and entertaining the warmest regard for your person, the republicans of the city of Albany beg leave to address you, with entire respect, on a subject of deep interest, not only to themselves, but to their republican friends in the state and throughout the union. We refer to the recent appointment of gen. Solomon Van Rensselaer, to the office of deputy postmaster for this city.

Dissatisfied as we are, with the course pursued, by the postmaster-general in relation to that appointment, we are not regardless of the respect due to every branch of the government, and of the caution to be exercised in censuring the conduct of any of its members. At the same time, we feel it to be the privilege of freemen to represent the evils under which they labor, with frankness and simplicity, to those who are invested with the power of correction and redress.

The exertions and sacrifices made by the republicans of this state, and particularly of this city, during the late war, to render the councils of our state efficient auxiliaries to the national administration: the imposing influence produced by those exertions upon the events, and the result of that memorable contest; and the uniform support which they have given to the general government during the last twenty years, gave them reason to expect, that, in filling so responsible an office, as that of deputy postmaster for this place, the privilege of expressing their wishes would not have been denied them.

The recent appointment of gen. Van Rensselaer affords a mortifying evidence to the contrary; and the precipitancy with which that appointment was made, notwithstanding the remonstrances of several distinguished individuals, some of whom had united in recommending the appointment, evinces, in the head of the post office department, an indifference to public feeling, wholly inconsistent with the duties of his station.

But the manner in which that appointment was made, and the refusal to delay it until the wishes of those immediately interested could be expressed, reprehensible as we conceive them to have been, are not the only, nor even the principal grounds of complaint. It is the avowal virtually made by the postmaster-general, in the correspondence herewith submitted, that, in selections for office in his department, the friends and the enemies of the republican party are considered as standing on equal ground; the refusal to appoint a distinguished and venerable republican, whose name was presented for his consideration, and the selection of a violent political adversary, that has more especially occasioned the present communication.

The office of deputy post-master at this place, the centre of the state and the seat of its public councils, is one of the most important in the gift of the administration. It will not, therefore, be surprising that the republicans of this city, and of the state at large, should be highly solicitous that its incumbent, in addition to other needful qualifications, should possess the confidence, and command the approbation of the republican party.

We are aware that many parts of the union are at this moment happily exempt from the agitations and conflicts of party. Such, however, has not been the good fortune of New York; and the republicans of this state are unwilling to hazard their present ascendancy, by a criminal indifference to the rights and interests of the great political family; with which they are connected. We are not the advocates of political intolerance; but we can neither repress nor disguise our strong conviction, that, in filling important vacancies, political considerations ought not to be overlooked; but, on the contrary, that devotion to republican principles should be required, appreciated, and rewarded.

When we reflect upon the principles which constitute the foundation of the republican party—principles consecrated by the spirit of patriotism, and identified with the best interests of our common country, we feel that they are worthy to be cherished by the present, and to be transmitted to every future generation. We are afraid to lose, and unwilling to abandon them. And when we recur to the opposition which has been encountered in their support, and to the efforts by which their present ascendancy throughout the union has been established and maintained, we cannot but highly estimate the value of that ascendancy, and the importance of preserving it unimpaired, by consulting the harmony, promoting the interests, and strengthening the power of our political friends.

Justice also requires, that those who withstood the attacks of opposition, and essentially contributed to the acquisition of that ascendancy, which is now so quietly enjoyed by the national administration, should, in appointments to important and profitable stations, be preferred to those, whose open hostility has been remitted only because it would be hopeless, and who are, nevertheless, ever ready to excite distrust and organize the elements of opposition.

In these views, our republican brethren in this state, and, as we confidently trust, in other states, cordially unite; and they furnish strong, and, as we conceive, unanswerable objections to the appointment of Mr. Van Rensselaer. Objectionable, however, as it is, on general principles, it is peculiarly repugnant to the feelings of a great majority of the people of this state. In the mutations of party, the republicans of this state, who, in the indulgence of their accustomed liberality, had, for a series of years, retained general Van Rensselaer in office, lost that power which passed into the hands of his political friends. Their conduct in its exercise was marked by many intemperate acts of proscription towards the decided friends of the general government, and the patriots of the late glorious war. Party policy was extensively introduced into the militia, over which general Van Rensselaer, as adjutant-general of the state, must be supposed to have great control. Upon the restoration of the republican ascendancy, in 1821, his removal became unavoidable, and has since been fully justified by the people.

The republicans of this state are the warm supporters of the national government, and while they are co-operating with the general administration, in all measures calculated to promote the glory and prosperity of the nation, they cannot but express their astonishment and regret, that the postmaster-general, under the circumstances of this case, should have wantonly persisted in making an appointment so inexpedient and improper.

To these observations, submitted with the highest deference and respect, to one who has already done so much to deserve the lasting gratitude and affection of his country, it remains only to add our earnest hope that, on a subject of such deep concern, those measures will be adopted for our relief, and for the honor of the great republican party of the union, which the constitution and laws of our country have wisely placed within the control of the executive.

By order, and in behalf of the republicans of the city of Albany.

CHARLES E. DUDLEY, *Chairman.*
BENJAMIN KNOWER, *Sec'y.*

Congressional Proceedings.

MILITIA FINES.

From the National Intelligencer. The secretary of the treasury reports to the house of representatives, in answer to Mr. Darlington's call for information, that no money arising from militia fines, in the state of Pennsylvania, has been paid into the treasury of the United States. Connecting this fact with the information derived from common report, that something like two hundred thousand dollars were to be collected in this way, it is one of no little interest. Mr. Smith, the late marshal, it appears, never paid any money over on this account to Mr. Conard, the present marshal, nor gave him any definite information on the subject. It further appears that the deputies of the late marshal had generally refused to pay over to the present marshal the balances in their hands, and it also appears, from papers delivered over by Mr. Smith, and from information derived from other sources, that Lewis Delfebach, one of Mr. Smith's deputies in Bucks county, had a balance in his hands of \$3,546 60, and that similar abuses had been committed by other deputies of Mr. Smith, but to what extent cannot be definitely ascertained. Here is an "Augrean stable" indeed!

Mr. Deffebach has made a publication, shewing causes why the amount above stated remained chargeable to him, by reason of certain alleged political persecutions instituted against him for the part that he took in the gubernatorial election in Pennsylvania, &c.

IN THE SENATE OF THE U. S. JAN. 22.

Agreeably to notice, Mr. Lowrie asked leave to introduce a bill to vest in the respective states the right of the United States to all fines assessed for the non-performance of military duty during the last war.

Mr. Lowrie observed, that, on the 15th May, 1820, he submitted a resolution requesting the president to cause information to be laid before the senate on the subject of the militia, and militia fines. Among other points, that resolution embraced the following: The number of the militia called into the service of the United States from each state, during the last war. The number furnished by each state, and the period of their service. The amount of fines imposed. The sums collected, and the expense of collection. The information furnished, in an answer to the call of the senate, did not give the definite number that was called into the service of the United States, from the different states. From the extracts of correspondence furnished to the senate by the war department, it appeared that, at different times, requisitions were made on the different states, for their respective quotas of 195,500 men, as the exigency of the public service required. From Pennsylvania alone, had Mr. L. been able to find the number required, and that information was obtained from the state government. The number furnished by each state has been afforded to the senate by the third auditor, in answer to the call of the senate, as follows:

New Hampshire	4,577	North Carolina	10,222
Massachusetts	2,349	South Carolina	9,178
Rhode Island	681	Georgia	9,158
Connecticut	7,363	Kentucky	15,781
Vermont	4,011	Tennessee	22,062
New York	58,367	Ohio	18,298
New Jersey	4,537	Louisiana	7,222
Delaware	3,059	Indiana	2,592
Pennsylvania	21,906	Mississippi	3,546
Maryland	42,630	Illinois	2,001
District of Columbia	3,276	Missouri	1,236
Virginia	71,254	Michigan	481

From the office of the third auditor, we are also furnished, said Mr. L. with the amount of fines assessed in eight states, to wit:

New Hampshire	120 00
New York	188,114 00
Pennsylvania	243,609 41
Maryland	15,154 00
Virginia	15,377 00
Ohio	456 00
Kentucky	7,144 00
Tennessee	13,711 00

\$483,685 41

Mr. L. said that he would now bring before the senate some information as to the amount of the fines collected, and the expense of collection.

New Hampshire.—Collected three fines, \$120—expense of the collection, \$233 88.

New Jersey.—Never collected any money for fines.

New York.—Collected \$15,794 54, and the expenses were the same.

Pennsylvania.—John Smith, late marshal, without stating what he has received, says he has paid \$2,742 34 more than he has received. John Conard, present marshal, has collected \$3,671 30, and paid, in expense of collection, \$3,590 56.

Maryland.—Thomas Rutter, the late marshal, states, that he commenced suits, but found great difficulty in collecting the fines—some went to jail—others brought suit after payment—he had received but three fines, which he would pay over if he were not called upon to refund them. The present marshal never received any.

Virginia.—The collection of the fines in Virginia appears to have been arrested by the decision of chief justice Marshall, in the case of William Meade. Meade was detained in custody for the non-payment of a militia fine. The obligation of the sentence of the court martial was denied on three grounds: 1. The court martial was not constituted under the authority of the United States.—2. The proceedings were not conducted as the state laws direct. 3. The fine was assessed without notice to the individual. The chief justice, without deciding the first point, (as I understand him) declared the sentence void on account of the two last.

Ohio.—The business was performed by the state officers. No fines were collected by the marshal, and the district attorney gave it as his opinion that it was impracticable to collect them.

East Tennessee.—\$1792 75 was collected, but the supreme court of Tennessee decided that the courts martial had not power to assess the fines.

West Tennessee.—The judge of the district court decided the proceedings of the courts martial illegal.

It appears, from a letter of the register of the treasury, that, from the state of New York, \$557 60 has been paid into the treasury, which is the whole amount received.

In the state of Pennsylvania, said Mr. L. the collection of these fines has long been a subject of much interest. The courts martial were constituted under the authority of an act of the legislature. Objections were made to the jurisdiction, and not until the supreme court of the United States passed upon the subject was the question finally settled. The case sent up for adjudication was the following:

Moore, the deputy marshal of Lancaster county, Pa. collected a fine from Houston, a delinquent militia man, who, after the fine was collected, brought suit against Moore, in the court of common pleas. His objection was, that part of the state law was unconstitutional. The court sustained the objection, and judgment was rendered against the deputy marshal. A writ of error was immediately taken to the supreme court of the state. This decision of the court of common pleas raised a very considerable excitement in the public mind. Of what use, it was asked, are our laws—of what use is our patriotism, if those who disobey the law are protected, and those who left their homes, for the defence of their country, are to be subjected to fines, and penalties, and stigmatised as trespassers? The legislature, then in session, participated largely in these feelings. Petitions were presented from the deputy marshals and the members of the courts martial, praying the interference and protection of the representatives of the people. The field officers of an entire brigade, informed the governor, that, if this decision was sustained, they could no longer hold their commissions.

There was, however, no direct manner by which the legislature could act upon the subject. They passed an act directing the supreme court to meet immediately and decide upon the writ of error, and that counsel should be employed to aid the deputy marshal. The supreme court met accordingly, and

reversed the decision of the court below. A writ of error was then taken to the supreme court of the United States. Mr. L. here went into an examination of the opinion of the supreme court—and read several extracts from the case, as reported in 5th Wheaton's Reports, affirming the decision of the supreme court of Pennsylvania. These, said Mr. Lowrie, are some of the most important facts and principles connected with the bill I now offer, to the consideration of the senate. I am aware that this is not the proper stage of the bill to offer any arguments in favor of its passage. My wish would be, however, to leave a favorable impression on the mind of the senate.—Pennsylvania is deeply interested in this measure. During the last war she furnished all the men required of her—she furnished more. The number called for was 20,387—the number furnished was 21,926, being 1,539 more than the requisition. If, in addition to this, you collect from her citizens a quarter of a million of dollars, her case will be a hard one. But I will leave these remarks till the bill shall come up for consideration in the senate.

IN THE HOUSE OF REPRESENTATIVES, JAN. 24.

Mr. Buchanan submitted for consideration the following resolution:

Resolved, That a committee be appointed, whose duty it shall be to inquire and report to this house, the causes why no part of the sum of 243,609 dollars and 41 cents, the amount imposed as fines by courts martial held under the authority of the United States on militiamen within the commonwealth of Pennsylvania, for delinquencies which occurred during the late war with Great Britain, has yet been received into the treasury; how much of the said sum has been collected from the delinquents by the late marshal and the present marshals of Pennsylvania and their deputies, respectively, and what are the names and places of residence of such deputies; how much of the money collected remains in the hands of the deputies, and how much has been paid over by them to their respective principals; who are the sureties of the late marshal John Smith, and of his deputies, respectively; what is the amount of each of their bonds, and what is the prospect of recovering the whole or any part of the money remaining in their hands; what causes have heretofore prevented the institution of suits against the said John Smith, his deputies and their sureties, to recover the militia fines retained by them respectively; and under what authority, by whom and to whom, the sum of 41,531 dollars and 77 cents has been paid out of the said fines to defray the expenses of the courts martial by which they were assessed.

In offering this resolution, Mr. Buchanan said that a sense of duty, and not a desire to give trouble and cast reflections upon any officer of this government, compelled him to bring before this house the subject of the collection of militia fines, from delinquent militiamen in Pennsylvania. He would, he said, state the facts connected with it, and which were so many reasons why the resolution should pass, without doing more at the present time. The state of Pennsylvania, during the late war, furnished her full proportion of men and of money to the general government to enable them to carry on the contest. She furnished more than her quota of volunteers and militia. It however happened, that, owing to the pious and peaceful habits of the people of that state, conscientiously scrupulous of bearing arms, there occurred, in obtaining the number of men required by draft, a great number of delinquencies; which were more than made up by volunteers. It followed, therefore, that whilst Pennsylvania, as a state, can with pride and with pleasure declare that she fulfilled, in the most ample manner, all her federal obligations, yet there was a very large proportion of her citizens fined as delinquent militiamen. From the letter of the secretary of war, of Feb. 14, 1821, it appeared, that out of nine states, on the citizens of which militia fines were assessed, and from eight of which returns have been received, the fines assessed on citizens of Pennsylvania, amount to a

larger sum than all the fines assessed on the citizens of seven, of the states:

The assessment on Pennsylvania amounted to	243,609 21
On New Hampshire, New York, Maryland, Virginia, Ohio, Kentucky, East Tennessee, West Tennessee, to	240,076 60

These fines were assessed, chiefly, if not altogether, within the years 1813, 1814 and 1815; and, strange and wonderful as it may appear, not one cent of that large amount, assessed on citizens of Pennsylvania, has yet reached the treasury of the United States. It is within my own knowledge, said Mr. B. that very large sums of this money have been collected by the deputy marshals, and much distress has been spread over the country in levying these fines, from the poorer classes of the citizens within our state. It is very natural that every state in the union, particularly Pennsylvania, should be anxious to have the darkness which hangs over this subject dispelled, and the guilty agents exposed to the light of day. It is possible that by an investigation something may be obtained; if not, the authors of the shameful frauds which have been perpetrated will be dragged from the concealment in which they now lurk. On the 4th Dec. 1820, at the instance of a gentleman from Pennsylvania, a resolution was passed by this house calling on the secretary of the treasury for information on the subject, which for some cause or other remained unanswered, but, on the 2d Jan. 1821, was renewed. And, said Mr. B. what answer has been given to it? It consists of six clauses, answers to which would embrace all the information we desire. The answer to the first is a letter from the present marshal, which Mr. B. read; from which, he said, it appeared that almost three years had been suffered to expire since this communication, and it does not appear that any measures have been taken to secure the books and papers.

The department could therefore communicate no information on the subject. The second query, how much money had been received into the treasury, on account of these fines, was easily answered: not a cent has been received. The third query the department is unable to answer, except that \$3,671 30 in the hands of the present marshal, and \$3,546 60 in the hands of Lewis Deffenbach, one of his deputies in Bucks county. The fourth query, as to the names of the deputies and the sureties of the marshal, was not answered. Indeed, it appeared that the department never either inquired or knew who were the sureties of the marshal, or who were his deputies or sureties. It appeared, further, that no action had ever yet been instituted against the marshal or his deputies on these bonds, except against one of the deputies. The object, therefore, Mr. B. said, of his resolution, was to obtain the information which the former vote of the house had failed to procure, &c. &c.

The motion of Mr. B. was read, and, according to the rule of the house, lies on the table for one day.

In the remarks of Mr. Buchanan, in the house of representatives, on the subject of the militia fines in Pennsylvania, there is one expression, from which it might appear that he imputed blame to the present marshal of the state of Pennsylvania. Such, we understand, was not his intention. His remarks were intended to apply exclusively to the late marshal, and he did not mean to convey any censure against the conduct of Mr. Conard, the present marshal.

Nat. Int.

Seventeenth Congress—first session.

IN THE SENATE.

January 25. The vice-president being unable, from indisposition, to attend to day, the senate adjourned over without transacting any business.

January 26. The senate met this day, but adjourned without doing any thing of present importance to notice.

January 28. After the transaction of some minor business—

Mr. Noble submitted the following resolution for consideration:

Resolved, That the secretary of war be directed to lay before the senate, a statement shewing the number of persons placed on the pension roll, by virtue of the act, entitled "an act to provide for certain persons engaged in the land and naval service of the United States, in the revolutionary war," passed the 18th day of March, 1818, and the number of persons placed on the pension roll, under the act of congress of the first of May, 1820, and also the number rejected under the provisions of the last recited act, and stricken from the pension roll, which were placed thereon, under the act first above recited.

Mr. D'Wolf submitted the following resolution for consideration:

Resolved, That the committee on commerce and manufactures be instructed to report a bill for allowing drawbacks on merchandise exported, which shall be manufactured from foreign materials, to amount of the duties on such materials.

Mr. D'Wolf made a speech of considerable length, explanatory of his views in offering the resolution; embracing a variety of practical statements of the course of trade, to show the advantage which would accrue to the revenue by extending the benefit of drawbacks, inasmuch as it would encourage internal industry, and exportation; urging the expediency of adopting such measures as would tend to diminish the existing inequality in the amount of imports and exports, as detrimental to the public interest as it always is to the interest of a private individual to buy more than he sells, &c.

The resolution lies on the table one day of course.

A resolution submitted by Mr. Ruggles on Saturday, requesting certain information relative to lands granted and located by patents to the revolutionary officers and soldiers of the Virginia line, &c. was taken up and partially discussed and postponed until to-morrow.

Mr. Holmes, of Maine, submitted the following resolution:

Resolved, That the secretary of the treasury be directed to transmit to the senate a list of the revenue bonds taken by the several collectors of the customs, which now remain unpaid, with the names, dates, and times, they respectively were or shall become due.

[Other business transacted, will be noticed in its course.]

January 29. Several bills heretofore ordered to a third reading were passed.

The resolutions submitted by Messrs. Ruggles, Noble, and D'Wolf were separately taken up and agreed to, as was also a resolution offered by Mr. Chadler to enquire into the expediency of opening certain military roads in Maine to the British line.

The bill to amend the charter of the bank of the United States was postponed until next week.

The other business transacted will be noted in its progress.

January 30. After disposing of some other business—

The senate resumed, in committee of the whole, Mr. Elliott in the chair, the consideration of the bill further to establish the compensations of the collectors of the customs, &c. and the amendments reported thereto by the committee on finance.—[These amendments were numerous, but embraced principally modifications of detail, and regulations of the pay of weighers, gaugers, inspectors, &c.]

Mr. Holmes, of Maine, submitted a number of remarks, explanatory of the different amendments proposed, and to shew, from abuses which he cited, the necessity of so fixing by law the pay of the various subordinate revenue officers, as to prevent the impositions and waste heretofore existing—many of them (inspectors, weighers, &c.) having for years received (by acting in double capacities) from four to five, and even six thousand dollars per annum.

Much debate took place—but finally the bill after a few small amendments, was ordered to be engrossed and read a third time.

HOUSE OF REPRESENTATIVES.

[Further notice of Mr. Cannon's proposition to re-organize the army, submitted on the 24th ult.] Mr. C. said that the bill that was passed at the last session, was in a shape given to it by the senate, which, he thought, would not have been approved of by the house, had time been allowed to have investigated the subject, &c. His plan was to dismiss 5 colonels, at a salary of 2,400 dollars each; 5 lieutenant colonels, at 2,148; 5 majors, at 1,860; 5 regimental quartermasters, 5 sergeant majors, and 5 quartermaster sergeants, at 849 each; 5 adjutants, at 120 each, additional to pay in the line; 5 paymasters, at 1,908 each—total field officers, 15; regimental staff, 25. Then, 35 captains of infantry at 1,044, and 18 of artillery at 1,428; 35 first lieutenants of infantry at 849, and 18 of artillery at 1,176; 35 second lieutenants of infantry at 813, and 36 of artillery at 1,176—total 195 commissioned officers of companies, and 549 sergeants, corporals, artificers, and musicians, at an average cost of 300 dollars each per year. Whole number to be disbanded, 784 persons—whole amount to be saved \$428,247 96 cents; leaving out of view a reduction of the general staff, which, if included, would make the entire saving 450,000 dollars a year.

Mr. C. said, he had not risen for the purpose of making a long argument on the subject of this resolution. It could not be denied, he said, that the period of the session has now arrived, when, if it was proper to look at the subject, it ought to be referred to the consideration of the committee on military affairs. On the subject of retaining so large a number of officers in service, he was, he said, decidedly opposed to it. He believed it would be impossible for those officers, however disposed to do their duty, to render any service to the government—inasmuch as an army organized, or rather disorganized, as it now is, could not be of as much service, either for peace or for war, as if it were organized as he now proposed. For, said he, as you multiply officers, you throw an incumbrance on the army, and place the high-minded individuals, who fill its offices, in a most disagreeable situation—that is, being in the employment of the government without having any duty whatever to perform. This resolution proposing merely an inquiry, he hoped there would be no opposition to it. Perhaps, he said, other changes in the organization of the army might be thought necessary, particularly the consolidation of the ordnance with the artillery. If so, he hoped the military committee would report accordingly.

The house having agreed to consider the resolution, in the following words:

Resolved, That the committee on military affairs, be instructed to inquire into the expediency of re-organizing the regular army, (so that companies in different corps, contain the number of non-commissioned officers and privates they did previous to the reduction and organization made under the act of the last session of congress), and that the said committee inquire into the expediency of disbanding supernumerary officers, and reducing the general staff.

Friday, Jan. 25. After receiving many reports on private claims, and disposing of some other business—

The house again resolved itself into a committee of the whole on the bankrupt bill—Mr. Taylor in the chair.

Mr. A. Smyth, of Va. rose and moved to strike out the first section of the bill; and the question thereon having been stated—

Mr. Smyth addressed the committee in support of his motion, in a speech of two and a half hours.

On motion of Mr. Mallary, the committee rose, and obtained leave to sit again; and

The house adjourned to Monday.

Monday, Jan. 28. Mr. Wright presented a memorial of the people of East Florida, against the division of Florida into two governments, and for the establishment of a central site for the government.

Many other memorials and petitions and sundry reports were presented, &c.

On motion of Mr. Sergeant, the committee on the judiciary was discharged from the further consideration of the resolution adopted on the 22d inst. directing that committee to inquire into the expediency of amending the law making the records and judicial proceedings of the several states, evidence in each particular state.

A message was received from the president of the United States, transmitting a report of the secretary of war, complying with a resolve of this house of the 22d instant calling for information respecting the measures taken to civilize the Indians, &c. which was referred to the committee on Indian affairs.

On motion of Mr. J. Speed Smith, it was

Resolved, That a select committee be appointed to inquire into the expediency of abolishing imprisonment for debt, in all cases of process issuing from the courts of the United States, and that they have leave to report by bill or otherwise.

Mr. Watworth submitted a resolution which had for its purpose an inquiry relative to the pretended claim of Jonathan Carver to certain public lands near the falls of St. Anthony.

Mr. Chambers moved to take up the bill, now lying on the table, for the apportionment of representatives according to the fourth census. The motion, however, was declared not to be in order, the unfinished business, (the bankrupt bill), having preference in the orders of the day.

On motion of Mr. Rochester, then, all the orders of the day preceding the apportionment bill, were postponed; and that bill taken up.

The question being on concurrence with the committee of the whole, on adding two thousand to the ratio of apportionment, so as to make it 42,000:

A debate arose thereon.

The question, on concurring with the committee of the whole in this amendment, was at length decided as follows:

YEAS—Messrs. Abbot, Alexander, Allen, Tenn. Archer, Barber, Ohio, Bassett, Bateman, Blackledge, Blair, Breckenridge, Burton, Cambell of N. Y. Campbell of Ohio, Cannon, Casely, Condict, Gomer, Cook, Crudup, Cushman, Cuthbert, Edwards of N. C. Floyd, Gebhard, Gilmer, Gist, Hail, Hardin, Hawks, Herrick, Hill, Hooks, Jackson, F. Johnson, J. T. Johnson, Jones of Tenn. Keys, Kirkland, Littlewich, Long, Lowmies, McCarty, McCoy, McDuffie, McNeill, Matlack, Mercer, Metcalfe, Montgomery, Moore of Ala. Moore of Va. Morgan, Nelson of Va. New, Newton, Overstreet, Poinsett, Reid of Geo. Rhea, Rich, Sanders, Sawyer, Scott, Arthur Smith, W. Smith, A. L. Smyth, J. S. Smith, Stevenson, Swan, Swearingen, Tamm, Thompson, Trimble, Tucker of S. C. Van Wyck, Walker, Watworth, Williams of N. C. Williams of Va. Wilkison, Wilson, Woodson, &c.

NAYS—Messrs. Allen of Mass. Baldwin, Bal I. Barber of Conn. Barstow, Baylies, Bigelow, Borland Brown, Buchanan, Burrows, Butler, Cambreleng, Cauden, Chambers, Conkling, Crafts, Dane, Darlington, Denison, Dickinson, Durfee, Dwight, Eddy, Edwards of Conn. Eustis, Farrelly, Findlay Fuller, Garrett, Gorham, Gross, Harvey, H. Phillips, Hobart, H. K. H. H. Hubbard J. S. Johnston, Kent, Lathrop, Lincoln, Littlefield, Little, McSherry, Mallary, Matson, Matrocks, Milnor, Mitchell, of Pa. Moore of Va. Murray,

Neale, Nelson of Mass. Nelson of Md. Patterson of N. Y. Patterson of Penn. Phillips, Pierson, Plumer of N. H. Plumber of Penn. Randolph, Rankin, Reed of Mass. Rochester, Rogers, Ross, Rugles, Russ, Russel, Sergeant, Sloane, S. Smith, Sterling of Conn. Stoddard of N. Y. Stewart, Stoddard, Taylor, Todd, Tracy, Tucker of Va. Upham, Vance, Warfield, Whipple, White, Whitman, Wood, Woodcock, Worman, Wright, &c.

So the house refused to concur with the committee of the whole in said amendment.

Mr. Taylor then moved to fill the blank with the words 47,000, and required the yeas and nays thereon,

The house then adjourned.

Tuesday, Jan. 29. Mr. Nelson, of Va. laid the following resolution on the table:

Resolved, That the president of the United States be requested to lay before this house such communications as may be in the possession of the executive from the agents of the United States with the governments south of the United States, which have declared their independence, and the communications from the agents of such governments in the United States with the secretary of state as tend to shew the political condition of those governments, and the state of the war between them and Spain, as it may be consistent with the public interest to communicate.

Mr. Johnson, of Louisiana, submitted for consideration the following resolutions, which lie over one day of course:

Resolved, That the president of the United States be requested to lay before this house such information as he may possess, with regard to the piratical depredations upon our commerce in the West Indies during the last six months; what naval force is now employed in that service, what seizures and captures have been made—what additional force can be ordered on that duty, and what other means are necessary to suppress these practices and to give entire protection to our commerce.

Resolved, That the president of the United States be requested to lay before this house what particular acts of violence and outrage have been committed upon the persons and property of American citizens in the port of Havana—how far they are permitted or acquiesced in by the authorities of that place; how far they have refused the aid of their laws to restrain and punish them—and what measures have been taken by this government in relation to this class of injury.

Mr. Bateman moved that, after the present week, the usual hour of adjournment be 11 o'clock; which was lost—ayes 73, noes 77.

The speaker laid before the house the following letter from the president of the United States, received yesterday:

To the house of representatives:

In compliance with the resolution of the 2d inst. I transmit a report of the secretary of state, with all the documents relating to the misunderstanding between Andrew Jackson, while acting as governor of the Floridas, and Elihu Fromentin, judge of a court therein; and also of the correspondence between the secretary of state and the minister plenipotentiary of his Catholic majesty, on certain proceedings in that territory, in execution of powers vested in the governor by the executive, under the law of the last session, for carrying into effect the late treaty between the United States and Spain. Being always desirous to communicate to congress, or to either house, all the information in the possession of the executive, respecting any important interest of our union, which may be communicated without real injury to our constituents, and which can rarely happen except in negotiations pending with foreign powers; and deeming it more consistent with the principles of our government, in cases submitted to my discretion, as in the present instance, to hazard error by the freedom of the communication, rather than by withholding any portion of information belonging to the subject, I have thought proper to communicate every document comprised within this call.

JAMES MONROE.

Washington, January 8, 1822.

[It appears that these papers make as much matter as will fill between 3 and 400 pages of close printed octavo!]

Much conversation took place as to the manner of disposing of those papers—some would have

referred them to the committee on foreign affairs, some to the committee on the judiciary, and some to a select committee. At last, it was agreed to lay them on the table; and then a motion for printing them prevailed. Adjourned.

[The series of documents, says the *National Intelligencer*, is divided into six parts, namely—

I. Papers received from, and correspondence with, governor Andrew Jackson.

II. Correspondence of the secretary of state with Mr. Salmon, charge des affaires of Spain, and with Mr. Anduaga, the minister of Spain.

III. Correspondence with, and papers received from, judge Fromentin.

IV. Papers received from colonel Butler, embracing his correspondence with governor Copinger.

V. Papers received from W. G. D. Worthington, secretary of East Florida.

VI. Letter from J. Walton, secretary of East Florida, acting as governor in the absence of governor Jackson.]

Wednesday, Jan. 30. The *speaker* laid before the house a letter from the secretary of the treasury, transmitting a statement of the quantity of wool imported into the United States, during the years 1817, 1818, 1819, and 1820, and the first quarter of 1821; which was ordered to lie on the table and to be printed.

[The *speaker* also laid before the house a long letter from the secretary of the treasury, as to the manner in which the land offices of the United States were examined, &c. which we have not either time or room to give place to in this sheet, if thought necessary to be registered.]

Several bills from the senate were received.

The house then took up the resolution of the senate concurring with the joint committee, reporting two new rules, one of which is, that no bill shall be presented to the president for his signature on the last day of each session of congress; the other, that no bill shall be originated in either house during the three last days of the session.

A considerable debate took place; in the course of which—

Mr. Baldwin, of Penn. expressed his apprehension that the remedy in this case would be worse than the evil. On the last day of the session, if it were adopted, neither house would have any thing whatever to do. That part of the proposed rules, he said, reminded him of a certain law of the state of Maryland, directing that there should be *no outside rows* to the fields of corn.

Mr. Warfield, of Md. was in favor of the new rules. But he could not see the force of the allusion which had been made to the law of the state of Maryland. Perhaps, he said, there was such a law in force in that state some years ago, but it was altogether of a partial nature. It applied only to that part of the state which was contiguous to the state of Pennsylvania: it was thought well, it appeared, to have *no out rows* in that quarter.

The rules were agreed to as reported.

The house then resumed the consideration of the bill to fix the apportionment of representatives—

Mr. Taylor modified his motion so as to fix the ratio at 45,000. Negatived, by yeas and nays: yeas 51, nays 118.

Mr. Condict moved to fix it at 39,000—for it 56 yeas, against it 120 nays:

Mr. Randolph moved that the ratio should be 30,000: after some debate, the house adjourned without taking the question thereon.

THURSDAY'S PROCEEDINGS—JAN. 31.

In senate—The engrossed bill further to establish the compensation of officers of the customs, and for other purposes, was read the third time, passed, and sent to the house of representatives for concurrence.

The senate was chiefly engaged this day on executive business.

House of representatives.—Mr. Trimble, after some remarks, (not reported) submitted the following as joint resolutions:

Resolved, by the senate and house of representatives of the United States of America, in congress assembled, That the president of the United States be, and he is hereby, authorized and requested to acknowledge the independence of the republic of Colombia, and, by an interchange of accredited ministers, place the political relations of that government, with the United States, on an equal footing with those of all other independent nations.

And be it further resolved, That such of the Spanish provinces in South America as have established and are maintaining their independence on Spain, ought, in like manner, to be acknowledged by the United States, as free, sovereign, and independent governments.

The resolutions were read twice, laid on the table, and ordered to be printed.

Mr. Burton, of N. C. after some remarks, which must be deferred, submitted the following resolution:

Resolved, That a select committee be appointed, to inquire into the expediency of repealing the law, passed in the year, A. D. 1813, entitled "an act to encourage vaccination."

Considerable debate took place, and the resolution was modified so as to inquire whether there are reasonable doubts of the efficacy, "of vaccination for the prevention of the small pox;" and then it was ordered to lie on the table.

Mr. Rochester presented a memorial from certain inhabitants of the state of New York, on the subject of navigable communication between the waters of the Seneca lake and of the Susquehannah river; which, on motion of Mr. R. was referred to the committee of the whole when on the subject of roads and canals.

The *Speaker* presented a communication from the president of the United States, transmitting the following report of the secretary of state:

Department of state, Washington, 30th Jan. 1822.

The secretary of state, to whom has been referred the resolution of the house of representatives, of the 16th inst. requesting of the president of the United States the communication of information respecting any outrages and abuses committed upon the persons of the officers or crews of American vessels at the Havana or other Spanish ports in America; and whether any measures have been adopted under Spanish authority, tending to punish, restrain, or countenance, either such personal outrages or piratical depredations upon the property of our merchants, has the honor of submitting to the president the statement of captain B. I. Shain, with accompanying documents, containing all the information possessed by this department, embraced by that resolution.

JOHN QUINCY ADAMS.

The message and documents were laid on the table, and ordered to be printed.

The *speaker* also presented a further communication from the president of the United States, transmitting information required by a resolution of the house respecting the operation of the old bankrupt law; which was referred to the committee of the whole when on the bankrupt bill.

The house then took up the apportionment bill. Mr. Randolph's motion for fixing it at 30,000 was negatived without a division, as was also Mr. Condict's for 37,000. 41,000, 45,000, 38,000 were severally rejected; and the house adjourned without coming to any conclusion on the subject.

CHRONICLE

Joseph Thompson, the person that murdered Miss Hamilton, in a fit of jealousy, some time ago, in this city, is dead, in consequence of his refusal to receive sufficient sustenance to support nature.

Terrible fire. Among the institutions which manifested the zeal of the citizens of Philadelphia in works of benevolence and charity, the Orphan Asylum stood conspicuous. This fine building, located at the corner of Schuylkill Sixth and Cherry streets, was the happy home of about one hundred little orphan girls, in which they were brought up and instructed to become useful members of society. But in the dead hour of the night of the 23d ult. one of the coldest that we have had this season, all that was combustible of this building was consumed by fire—and, horrible to relate, twenty-three of the little innocents perished in the flames! The children slept in the third story, the fire broke out below, and those rescued were snatched out of their beds, at great personal hazard, chiefly by two neighboring watchmen, named *Butcher* and *Miller*. The remote situation of the building from the body of the population of the city, prevented the usual assistance of the firemen and others, until the whole of the interior was on fire; and then the great effort was to save the Widow's Asylum adjoining, which was effected. The cost of the edifice was \$20,299, and the value of the bedding, clothes and furniture destroyed, is estimated at \$3,000; the property was insured at \$6,000 only. But the sympathies of the people have been excited, and liberal contributions are tendering—and the prospect is, that all will soon be restored to what it was, save the little sufferers; who, to use the language the editor of the Democratic Press, "we humbly trust are taken to the bosom of their Father and their God." The legislature of Pennsylvania has unanimously passed a bill appropriating 5,000 dollars to re-build the edifice.

Chaplains to congress. The present chaplain to the senate of the United States, is the rev. W. Ryland, a Methodist, and the rev. J. Sparks, an Unitarian, is chaplain to the house of representatives. Their change places alternately, are both able men, and perform the services required of them with solemn dignity and decorum. They appear to be much respected, and there is generally a "goodly number" of members present to partake of the benefit of their prayers. We mention the fact only as matter of record, and to say that such a selection of chaplains to the British parliament would, most probably, cause the downfall of the government—but here the fact is hardly known out of Washington to what sects the chaplains belong—nor do the people care about it; they are more interested in good works than orthodox opinions, and willing to believe that the opinions of others should be respected as well as their own. Hence, we have few religious squabbles and holy wars.

The Delaware Watchman. This old and respectable establishment has passed out of the hands of Mr. Sellick Osborn, its late editor, into those of its original proprietor, Mr. Jas. Wilson. Well acquainted with its services in the cause of truth, we earnestly wish it an extensive circulation and prompt payments—the latter, after all that can be said about it, is the soul of every periodical work.

Credit—among printers. It has long been an established practice among publishers of newspapers, &c. when they inserted an article from another to acknowledge the source from whence they derived it. In England, by a late decision at the stamp-office, such an acknowledgment is construed

into an advertisement, and subjects the publisher to a tax of three shillings and six pence for every time it is rendered!

Died, in Washington county, N. Y. Mr. *David Sprague*, in his 90th year. In Sept. last, 420 of his descendants were enumerated. At Cherry Valley, Mr. *Hugh Mitchell*, aged 101 years 9 months—an early settler, who suffered much from the ravages of the Indians, at one time losing his wife and four children, who were murdered by them. In Hagers-town, Md. *Peter Baszlin*, a colored man, aged upwards of 110 years, as was apparently established on the best testimony.

Domestic manufactures. A piece of white flannel, manufactured in the state of New-York, which had been sent here as a sample, was sold yesterday at one dollar per yard. It is pronounced by judges to be equal to the best Welsh flannel usually brought to this market.—*Charleston Courier*.

Wool. The reflecting man will ponder not a little on the fact, that wool is transported from New-Jersey to be manufactured into cloth at Steubenville in the state of Ohio; and that such cloth is sent to the New-York, Philadelphia and Baltimore markets.

Astonishing fresket. The Cahawba (Alabama) Press states, that the quantity of rain which fell there in a given time, on the 28th of December and the night of the 29th, was unprecedented. "The Alabama and Cahawba rivers rose forty feet!"

Horrid murders. A negro boy in Mecklenburg county, Va. recently murdered the three daughters of a Mr. James Hunt, aged 18, 12 and 8 years, respectively. They, with the boy, were only at home, and the eldest daughter had chastised him for some fault. When they were asleep at night, he attacked them with an axe, succeeded in beating out their brains, and then set fire to the house. But the neighbors collected and got the bodies of the girls out before they were consumed. The boy was arrested and promptly confessed his act of vengeance.

Charleston. During the year 1821, there died in this city 258 white males, and 152 white females; 246 black males, and 265 black females—total 921.

New-Orleans. We learn that there was sleighing in New-Orleans about the 1st ult. There has not yet been any in the neighborhood of Baltimore.

Mobile, &c. During the year ending the 30th Sept. ult. 25,390 bales of cotton were shipped from the port of Mobile! It is estimated that the whole crop of Alabama exceeded 50,000 bales, exclusive of what was consumed therein. All this country was in a state of nature, or inhabited only by Indians, a few years ago. During the same year, 252 vessels entered the port of Mobile—190 coasters, and 42 from foreign ports, besides barges, &c. The tonnage belonging thereto is 4,273.

Maine. The returns of the militia shew a grand total of 34,067—in 6 divisions, 12 brigades, 46 regiments of infantry, 1 do. and 8 battalions of cavalry, 2 regiments and 7 battalions of artillery, &c.

Massachusetts. Militia returns—infantry and light infantry, 47,481; cavalry, 2,081; artillery, 3,140; captain-general and staff, 6—grand total 52,708;—4,563 more than the returns of last year.

Pennsylvania. The Northwestern bank, at Meadville; the Alleghany bank, at Bedford; the Centre bank, at Bellefont; the Huntingdon bank; the Northumberland, Union and Columbia bank, at Milton; the Marietta and Susquehanna trading company; the Agricultural and Manufacturing bank, at Carlisle; the Farmer's and Mechanic's bank of Greencastle; the Juniata bank, at Lewis-

town; the bank of Washington, at Washington; and the Farmer's and Mechanic's bank, at Pittsburg—are all officially declared to be "*dissolved, unlawful and unincorporated.*"

Delaware. There were two ballots in the legislature of this state for the choice of a senator of the United States for six years from the 4th of March last. 1st ballot—C. A. Rodney, 10; Thos. Cooper, 10; Thomas Clayton, 7; Louis McLane, 2. 2nd ballot, C. A. Rodney, 15; T. Cooper, 10; L. McLane, 4. So Mr. Rodney had a majority of the whole number of votes and was chosen.

Maryland. The bill to relieve the Jews from the disqualifications provided by the constitution of this state, has again been rejected by the legislature.

Florida. It is stated that general George Izard, late of the army of the United States, has been nominated governor of the Floridas.

Erie Canal. Schedule of property passed on the Erie canal at Utica, 1821.

2,264 tons merchandise	9,993 lbs. Maple sugar
513 Gypsum	1,736 Geese feathers
4 Oysters	8,100 Paper rags
2 Tyle	5,850 Cheese
33 Clay	1,132 Paper
5 Lock castings	406 Bees wax
62 House goods	4,238 Wool
14 Lard	14,000 Bricks
4 Hams	35 cwt. hops
44 Butter	65,277 gals. whiskey
11 Millstones	66,840 bush. water lime
3 1-2 Tallow	39,513 Wheat
21 Furnace stone	864 Rye
38,226 bls. flour	5,077 Corn
14,958 Salt	2,114 Oats
4,780 Provisions	135 Barley
4,788 Ashes	50 Beans
33 Kelp	140 Onions
143 Oil	300 Turnips
69 Reer	445 Peaches
58 Crackers	5 Cranberries
33 Soap	33 Nuts
2,481 boxes glass	298 Potatoes
869,075 feet boards	28 Apples
25,420 cubic feet timber	237 Flax seed
923 M. shingles	2,650 Charcoal
26,191 post and rails	30 Grass seed
51 Cords bark	47 Waggon
491 Wood	10 Coaches
47,764 Oak staves	1 12lb Iron gun & carriage
2,761 Hoop poles	
3,000 Spokes	

Mississippi. The legislature of this state has passed an act to establish a literary fund for the encouragement and support of education. This fund is to be gradually augmented, but the poor only are to receive the benefit of it until it amounts to 50,000 dollars. That act contains "a solemn protest" against the appropriation, by any future legislature, of this sacred contribution to any other than the noble purpose intended by it. [So does the act of congress in relation to the *sinking fund*, unless the United States are involved war with a foreign power; but we see that this fund is diverted from its purposes *sans ceremonie*.]

Ohio. The following is given as the places of the nativity of the members of the present legislature of Ohio. It appears that there is not one native-born citizen of the state among them; but this is not so much to be wondered at, when we recollect that in 1800, only 21 years ago, the whole of the north western territory, composing the pre-

sent states of Ohio, Indiana, Illinois and territory of Michigan, contained only 45,365 inhabitants, and of these, except some under ten years of age, very few indeed, were natives of the territory—not one, perhaps in 2 or 300—and since then few natives, comparatively speaking, have arrived at the age prescribed by law at which persons may become representatives or senators. Foreign writers often observe that we have not many centenarians, but they do not recollect what was the stock of people to furnish them a hundred years ago.

Places of the nativity of the members of the senate and house of representatives of the state of Ohio—

	Senators.	Representatives.
In Connecticut	6	7
Massachusetts	2	4
New Hampshire	1	2
New Jersey	5	2
New York	2	2
Maryland	2	9
Pennsylvania	10	17
Virginia	4	14
South Carolina		1
North Carolina		1
Kentucky		2
Vermont		3
Ireland	1	5
	33	69

POSTSCRIPT. Saturday morning, 10 o'clock. We stop the press to take a brief notice of some foreign news received by way of New York. Liverpool papers of the 6th Dec.

There had been a report in London of the death of the king of France—another, that the chamber of deputies had been dissolved; a third, that the funds had experienced a great fall. None of these were confirmed, for they are mentioned in a London paper of the latest date received—but it only appears probable that the chamber had taken a stand against the measures of the government, having insinuated that peace had been preserved by sacrifices incompatible with the honor of France; for this the king rebuked that assembly, and, it was believed, would immediately dissolve it.

If the accounts from Spain are to be relied on, another revolution must have commenced early in December. The king had refused to dismiss his ministers—Madrid was in a state of terrible confusion. The "Jacobins," so called, were gathering their strength, and the garrison was under arms. Terror was at its height; and bloodshed momentarily expected.

The Persians are at war with the Turks—Russia had not yet taken a decisive part, and what course she would pursue is not indicated, except by contradictory rumors. The Greeks had severely defeated a Turkish fleet; some part of it escaped and took refuge in Zante; the people of the island collected to drive the Turks out, and in the mean time the Greeks appeared off the port; but the English governor took the "good allies" of his king under his protection, and dispersed the people of Zante, after killing seventeen of them, and would not suffer the Greeks to complete their victory. The Greeks have also gained some advantages ashore. The monks of mount Athos, amount to 12,000, of whom 8,000 are armed. The Turks hold possession of Athens, a part of which had been burnt; but by what party it is not stated.

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The copy of a treaty between the United States and France, is said to have been received by the Manhattan, recently arrived at New York from Liverpool: but—the saying is not true.

The SUPREME COURT met in the capitol, at Washington, on Monday last: present, chief justice Marshall, and Washington, Livingston, Todd, Story and Duval, associates. Judge Johnston is daily expected.

NAVAL. Notice is published by the navy department, that hereafter it will not recognize the title of *commodore*: it is not established by law, and the use of it has been productive of cold and confusion.

This is well. The title of *captain* has been coming so common that no one knew what it meant. It was conferred on persons not even entitled to be called captains, and we are glad to see the practice checked; though, as a grade, perhaps, it might be well enough to establish it.

NAVY DEPARTMENT. The contingent expenses of this department for the year ending 30th Sept. 1821, amounted to \$391,169 99. This includes charges for transportation of seamen, cannon, &c. travelling expenses of officers, stationery, office rent, fuel, premium on recruiting, &c. &c.

"THE COLUMBIAN STAR," a weekly paper, devoted to religion and science, has just appeared at Washington City. It is understood to be under the direction or patronage of the faculty of the Columbia college, incorporated by congress and recently established in that city. The "Star" will not have any concern with politics.

SMALL POX. Twelve deaths were reported to the board of health, by this disease, for the last week. Several thousand persons have been vaccinated by the medical gentlemen appointed by the corporation of the city, and we entertain a hope that this disorder will be checked, having faith in the ability of the citizens to eradicate it in Baltimore.

NAVAL. The citizens of Norfolk, Petersburg and the South, as well as of Charleston, have met and memorialized congress to repeal the existing laws restrictive of trade between the U. States and the British West Indies. These laws were passed on the principle that, if the British did not admit our vessels to their West India Islands, we would not admit theirs from those islands: i. e. we would not receive their produce unless they would receive ours on the same terms. But the merchants of New-York and Boston have forwarded counter petitions, saying that a repeal of those laws would be injurious to the navigation and trade of the U. States. It is not probable that a repeal will be made, unless on the principle of reciprocity; to be commenced by some act of the British, the original restrictionists.

FOREIGN NEWS. After a long lack of intelligence from Europe, we have, by late arrivals at New York, received extracts from London papers as late as the 26th of December: the substance of

which we have carefully compressed in our "foreign articles," adding thereto several interesting state papers—so as to afford a pretty clear view of the condition of things, as reported to exist.

Nothing important has occurred in England. Some changes of the ministry have taken place and the "Grenvilles" are in power. Ireland is in a horrible state of confusion, and it is evidently feared that Dublin, itself, may become subject to the outrages of an oppressed and deluded people.

In France there has been a complete change in the ministry. The address of the chamber of deputies and the king's reply, are interesting. Things were pretty quiet at the last accounts, but another change of ministry was expected. The number of deputies is evidently diminished, and the neutrality of France, in the affairs of Italy and Turkey. In the king's reply to the deputies he makes a remark that is entitled to peculiar notice—he says "the whole of Europe experiences, at this moment, the inconvenience which arises from a super-abundant harvest."

Spain appears to be dreadfully agitated—perhaps on the eve of another revolution; the motives of which we do not fully understand. It would appear, generally, that the cortes side with the king. The country is filled with parties or factions.

The Greeks go on prosperously—the Turks are beaten by them on land and at sea; they are also severely pressed in Asia by the Persians, believed to be in concert with Russia, whose design is now thought to be evident. The guarantees required by the Russian "note" shews what they are; and the hope of peace appears to be given up at London. Some think that Russia will not invade Turkey before the spring; but it is hardly likely that Alexander, if resolved to possess herself of Constantinople, will keep his mighty force on the Pruth, idle until that time. Speculation is afloat to determine what England will do, if her "dear allies," the Turks, are attacked by the "Deliverer," who wishes their country to round off his empire, and afford him the means of supporting a great naval power.

☞ Very late news. Another vessel has arrived at New York with London papers of the 1st of January. The chief things mentioned are as follows:

1. An express arrived from Paris at London on the 31st Dec. announcing that the king had been alarmingly ill, in consequence of the fatigue and anxiety he had suffered in his disputes with the chamber of deputies. A conspiracy had been detected at Saumur; previous to the discovery, a dreadful conflagration took place; which seems to have had some connection with it.

Turkey. The Greek congress at Tripoliza was about to proclaim a federative republic—Demetrius Ypsilanti to be president. The states are the Morea, Livadia, Thessaly, Macedonia, Epirus and the Islands.

There are various accounts of an insurrection of the Janissaries at Constantinople—that they had beheaded the Sultan, and indiscriminately massacred the Christians and Jews. Such an event is by no means improbable. The capital was in a dreadful state.

The Persians were advancing victorious—after capturing Bagdad, it is stated that they took Trebisond and totally destroyed a Turkish corps at Erzerum.

Russia. It now appears undoubted that Alexander will make war on the Turks; and his troops, with a tremendous train of artillery, are pouring down on the frontiers of the Ottoman empire. The Turks, themselves, seem to court their own destruction—they have rejected the Russian ultimatum, and are clamorous for war. Horrible murders take place in Moldavia and Wallachia, &c.

Spain. The dissolution of the ministry was thought to be inevitable. Riego had been chosen a member of the cortes. Mina has yielded obedience to the orders of the government. A Paris paper gives a report that the lives of the royal family had been attempted, and that much blood was shed at Madrid. Surely—Spain is in a state of anarchy.

A BANKRUPT LAW, is loudly called for by some and severally deprecated by others in the community. It is a matter about which "much may be said on both sides." To afford an enlarged view of the subject, and assist our readers to appreciate the advantages and disadvantages of the measure, we commence the publication of Mr. *Sergeant's* speech in favor of the bill, intending to follow it by Mr. *Stevenson's* against it.

A correspondent, who says that he is "far advanced in the vale of years," has given us some hints in favor of the passage of such a law. We shall not insert them *in extenso*, lest they might lead to a discussion which, at present, we cannot attend to, though the subject is an important one. He apprehends that the greatest objection to a bankrupt law rests on the ease with which a debtor gets cleared, and who insults the public by "appearing in splendor" a short time after. He would render the examination severe—that the honest man might be released and the rogue punished; and suggests the establishment of a power to follow property unless a *bona fide* sale is clearly shewn, &c. But the thing is hedged about with difficulties—and, as to debts, we do not know whether it would not benefit society to declare them irrecoverable by law. They would then rest on honor, and be met with that scrupulous punctuality which extends to transactions of borrowing money, or wherein paper is indorsed, &c. It is thought that a man *must* pay these—and he that will not, if he can, is placed in his proper rank as a person not worthy of credit. We cannot see why the same sort of feeling might not be applied to every description of business.

TWO OTHER MEETINGS AT ALBANY. At a meeting held by the republican members of the legislature, a present agitation of the "presidential question" was deprecated as premature; but it was recommended "that a nomination of candidates for president and vice president, by the republican members of the next congress of the United States," should take place, &c. We ask, who are the "republican members," in "these our days?"

The "novel system of patronising the opponents and overlooking the friends of the general administration," as exhibited in the appointment of gen. Van Rensselaer, postmaster at Albany, was highly disapproved of, and the conduct of the vice president and the senators of New York, in congress, decidedly approved.

At another meeting, John Tayler, esq. the lieutenant governor of the state, presided, gen. Peter Gansevoort secretary. This was held in opposition to

that whose proceedings were published in the last Register, and should also be noticed in detail but for the length of the article. Philip S. Parker, esq. explained its objects in a speech of much spirit and point—after which many resolutions were adopted, expressive of the sense of the people then assembled; that the proceedings of the meeting at which Mr. Dudley presided, were "anti-republican and disorganizing, and express the sense only of a small minority of the republican citizens of Albany city and county"—that the interference of the vice president of the U. States, and the two senators from this state was "obtrusive," not warranted by any importance or influence that the office conferred, incompatible with official decorum, and foreign from their legitimate duties—"that it received a merited rebuke in the promptness of measures which were adopted by the general government," &c. that the subsequent transmission of the correspondence to Albany was "for the purpose of exciting dissatisfaction with the national administration, and producing an angry appeal to the people," &c. that the conduct of the vice president and Mr. Van Buren was "inconsistent," because they had advocated the re-election of Mr. King to the senate, well known as a "high-toned federalist and a prominent leader"—that the suggestion "that the national administration ought to be governed in its appointments by the measures of the appointing power of this state, is an assumption as absurd and as arrogant as it is anti-republican and aristocratical."

The meeting further resolved that a copy of its proceedings should be forwarded to the president of the U. S. and the heads of the executive departments, with an assurance of support from a vast majority of the good citizens of the state, &c. that "it entertained high respect for and great confidence in the administration of the United States, and of this state; and that a committee be appointed to wait on his excellency De Wit Clinton, to express our respect for him as a distinguished citizen, and our entire confidence in the ability and patriotism of his administration, and to congratulate him on the success of the measures he has annually recommended to our legislature for the improvement of agriculture, manufactures and commerce, and for the promotion of literature and science, which have advanced the happiness, prosperity and dignity of this state."

The following named gentlemen were appointed to the different committees—

To wait on the governor—Israel Smith, Henry Truax, Spencer Stafford, John Wilson Ward, Gilbert F. Lush, Joseph T. Rice, Ephy and Lander, John Cassidy and Zachariah Sickle.

To forward the proceedings to the president of the U. S. &c.—Isaiah Townsend, Francis Bloodgood, John Everson, Josiah Sherman, H. Wendell, jun. and John M. Cuyler.

To cause the proceedings to be published—Philip S. Parker, George W. Stanton, Henry A. Williams, and Sebastian Bisscher.

COTTON From some experiments made to cultivate this article in Connecticut, an opinion is advanced that it may be successfully and profitably raised in Eastern Pennsylvania, New Jersey, on Long Island, and the sea-board of Connecticut; and a writer on the subject makes an exhibit to shew that, at the present price of labor, 7 1-2 acres can be cultivated in Connecticut for what it costs (including interest on capital), to cultivate 5 acres in North Carolina; and he supposes that the product in the one case will be about the same as in the

other. Some have ridiculed the idea—but we know that the plant grows prosperously in as high latitudes, and why may it not be naturalized to the climate of the middle states? It is probable that it will be fairly tried; and, if successful, will effect great changes in the relative condition of persons and things among us. The notion of growing it on Long Island, &c. is not more strange now, than that of producing it in North Carolina was 30 years ago. The samples exhibited were raised in gardens in Connecticut, with no more than the ordinary care bestowed on other vegetables growing in them, and the quality is said to be excellent.

WOOL. We have the report of the secretary of the treasury, shewing the quantity of wool imported and exported during the years 1817, 1818, 1819 and 1820, and the three first quarters of 1821. It presents a flattering prospect of the domestic manufacture.

IMPORTED.		
	Angora, &c.*	Sheep and lambs, &c.†
1817	lbs. 6,600	2,272
value	\$6,189	1,883
1818	lbs. 1,500	—
value	\$ 226	—
1819	lbs. 1,700	1,192
value	\$1,407	479
1820	lbs. —	106,788
value	\$ —	24,965
1821	lbs. 2,622	384,333
value	\$2,250	93,829

EXPORTED.

Angora, &c. in 1821, 900 lbs. worth \$900; sheep and lambs, &c. in 1817, 2,888 lbs. to England, and 4,200 lbs. to France, worth \$3,540; in 1818, 18,542 lbs. to England, and 318 lbs. to France, worth 11,242 dollars; in 1819, 3,465 lbs. to England, worth 1,386 dollars. No exports in 1820 or 1821.

The wool imported in the three first quarters of 1821, being 384,333 lbs. in all, was received as follows:

From Brazil	:	:	lbs. 132,961
Spain	:	:	109,388
Sweden	:	:	53,000
Turkey	:	:	34,227
England	:	:	30,600
Denmark	:	:	9,041
Hanse Towns	:	:	7,917
Portugal	:	:	7,199

384,333

FLOUR. The "Federal Republican" gives an account of all the flour inspected in Baltimore, for each quarter, in the years 1811 to 1821, inclusive of both. The following are the annual aggregates:

Years.	bbls.	bbbls.	Years	bbls.	bbbls.
1811	516,269	27,566	1817	392,676	12,215
1812	537,988	29,423	1818	434,865	19,052
1813	285,466	8,971	1819	454,469	22,468
1814	154,816	2,699	1820	565,551	23,014
1815	318,580	13,525	1821	471,920	27,796
1816	387,780	14,392			

BOOKS. A design has been manifested to take off the duty on books. We notice a statement on the subject, in which it is estimated that this branch of industry variously employs more than 10,000 per-

*Angora goats, camels, Vicunia and other, free of duty.

†Sheep or lambs, merino or common, washed or unwashed, duty 15 per cent.

sons, and that the value of the books published in the United States, in the last 30 years, exceeds the sum of *thirty millions of dollars.*

MANUFACTURING COMPANIES. There are three bills before the legislature of Delaware, which will probably be passed into laws, for incorporating two manufacturing companies, with capitals of 250,000 dollars each, and another with 150,000. The latter to be called the "Cotton Manufacturing Company on the Brandywine."

LOOKING GLASSES are manufactured at Canandigua, N. Y. The quality is said to be good and the price as low as the imported. The proprietors of the works are well reported of as being qualified to carry on the business, and we wish them success. They make glasses of a large size.

APPORTIONMENT BILL. The house of representatives has at last fixed upon 40,000 as the ratio of representation, under the 4th census. If this rule should be adopted by the senate, the states will stand thus—

States	No. of rep.	Fractions.	Present no.
New York	34	8,775	27
Pennsylvania	26	9,313	23
Virginia	22	15,303	23
Ohio	14	21,434	6
North Carolina	13	36,821	13
Massachusetts	13	3,287	13
Kentucky	12	33,623	10
Tennessee	9	30,769	6
South Carolina	9	29,594	9
Maryland	9	4,369	9
Maine	7	18,335	7
Georgia	7	1,126	6
Connecticut	6	35,208	7
New Jersey	6	34,251	6
New Hampshire	6	4,161	6
Vermont	5	35,764	6
Indiana	3	27,102	1
Louisiana	3	5,779	1
Alabama	2	30,339	1
Rhode Island	2	3,038	2
Delaware	1	30,943	2
Missouri	1	22,496	1
Mississippi	1	22,320	1
Illinois	1	14,843	1
Whole no.	212		187

The states that will *gain* are as follows:

New York	-	-	-	7
Pennsylvania	-	-	-	3
Ohio	-	-	-	8
Kentucky	-	-	-	2
Tennessee	-	-	-	3
Georgia	-	-	-	1
Indiana	-	-	-	2
Louisiana	-	-	-	2
Alabama	-	-	-	1
				29

The states which will *lose* are—

Virginia	-	-	-	1
Connecticut	-	-	-	1
Vermont	-	-	-	1
Delaware	-	-	-	1
				4

PIRACIES are still frequent off the coasts of Cuba. American and British vessels are indiscriminately robbed, under the most aggravating circumstances

and sometimes attended even with murder. We had a report, sometime since, that lieut. Kearney, of the U. S. brig *Enterprise*, had captured four piratical vessels, after which he landed some of his crew at Cape Antonio, Cuba, and destroyed the houses which the wretches were supposed to inhabit, to break up their establishment. This account has not been confirmed.

It is also stated, that com. *Chaytor*, in the Buenos Ayrean service, captured a piratical schooner off the Hole-in-the-wall, and *hung all her crew*, seventy five in number, at the Berry Islands! Capt. *Chase*, in the service of Colombia, is also said to have caught some pirates that were immediately executed. But there seems no probability of entirely checking these depredations, without the concurrence of the authorities of Cuba: by whom, however, it is said, that some of them have been capitally punished.

NEW YORK STATISTICS. In 1810, the whole population of the western districts of New York, was only 147,301 inhabitants—in the same there were in 1820, 642,000 persons; and there are even yet 5,000,000 acres of unseated lands—as good, generally, perhaps, as those already improved.

The capital invested in banks and insurance companies in the state, amounts to about 34,220,000 dollars.

The grants of the legislature to colleges and academies, and other public institutions, including 622,655 to roads, amounts to about *seven millions* of dollars—and, including the appropriations for the canals, the whole disbursements will exceed *twelve millions*.

The sum of \$17,699,500 is vested in incorporated manufacturing capital: there are 202 incorporated turnpike companies; 113 toll bridges; 34 incorporations for charitable purposes; 20 for the promotion of useful arts; 63 banks and insurance companies.

The whole capital invested in stocks is about \$54,000,000

With all these disbursements and investments, the state is free from embarrassment!

The above is a brief abstract from a series of essays recently published in the "Ontario Repository," and is believed to be as nearly correct as such things can easily be.

New York. The interments in this city during the year 1821, amounted to 3,542—viz. 974 men, 835 women, 892 boys and 841 girls. Of these there were of the age of 1 year and under 825; between 1 and 2, 369; 2 and 5, 261; 5 and 10, 122; 10 and 20, 158; 20 and 30, 445; 30 and 40, 446; 40 and 50, 346; 50 and 60, 243; 60 and 70, 175; 70 and 80, 79; 80 and 90, 57; 90 and 100, 15; 100 and upwards 1. Of the whole 715 died of the consumption—one fifth of the number.

Navy of the United States.

Line of battle ships, of 74 guns—Independence, Washington, Franklin, Columbus, Ohio, North Carolina, Delaware—7.

Frigates of the first class, of 44 guns—Constitution, United States, Guerriere, Java—4.

Frigates of the second class, of 36 guns—Congress, Constellation, Macedonian, Fulton Steam Frigate, of 30 only—4.

Corvettes of 24 guns—John Adams, Cyane—2.

Sloops of war of 18 guns—Hornet, Ontario, Erie, Peacock, Alert, (store ship)—5.

Brigs of 12 guns—Enterprise, Spark—2.

Schooners—Alligator, Porpoise, Dolphin, Shark, Grampus, of 12 guns, Nonsuch of 6, Lady of the lake of 1—8.

Gun boats—Nos. 95, 8, 76, 158, 168—1 gun each—6.

⚓ Vessels on the lakes excluded; they are not considered as belonging to the regular navy.

Recapitulation of officers.

Captains,	31
Masters commandants	31
Lieutenants, - - - -	196
Surgeons, - - - -	46
Surgeons' mates, - - - -	44
Purser, - - - -	42
Chaplains, - - - -	10
Midshipmen, - - - -	336
Sailing masters, - - - -	58
Boatswains, - - - -	16
Gunners, - - - -	17
Carpenters, - - - -	13
Sail makers, - - - -	10
Master's mate, - - - -	1
Total,	851

Foreign Articles.

GREAT BRITAIN AND IRELAND.

Several parts of Ireland are in a terrible state.—

Murder is as common therein as *hanging* is in England. The whole family of a Mr. Shea, in Tipperary, consisting of eighteen persons, were destroyed at once—the wretches set fire to the house, and those not burnt up were massacred as they attempted an escape, in the most horrid manner. A major Collis, in his 70th year, was murdered in his bed, in Kerry county, and his house robbed. A parish church near Killarny was fired and destroyed. Many other outrages of like character occur, unnecessary to recapitulate, and under the most appalling circumstances. The counties most disturbed are Tipperary, Kerry, Clare, Queen's, and Kildare. Great efforts were making to reduce the people to order. These outrages appear to have their origin in the distresses of the peasantry. But some alarm exists even in Dublin.

Francis Jeffrey esq. has been elected lord rector of the university of Glasgow. A new coinage of farthings has been issued. There has been a battle-royal at the office of the "True Briton," which caused much confusion as well as many broken heads, &c. between the partizans of lord Kenyon and Mr. Merle, proprietors of that paper. The object of the former was to obtain, and of the latter to keep possession of the *property*. The marquis Wellesley succeeds earl Talbot, as lord lieut. of Ireland. The price of grain has fallen far below the amount at which it may be imported for home consumption. There are upwards of 10,000 army officers on *half pay*, who receive more than 1,500,000*l.* annually! Four gambling houses in London are said to have realized a profit of 400,000*l.* in the last year!

Hanging. Eight persons were executed at the Old Bailey on the 22nd, and three more on the 29th of November, for different offences—chiefly on account of forging or issuing forged bank notes.—Some of the cases excited great sympathy, brutalized as the people are by the frequency of such exhibitions.

Later. The condition of things in Ireland becomes worse and worse. Fortifications are erecting at Dublin—the castle gates are closed every afternoon at 4 o'clock, and the houses of the inhabitants are shut up at 8, at night. Troops are continu-

ally arriving from England. Many of the robbers and murderers had been arrested, and some were executed; but without apparent effect to check the progress of outrage. One of the persons hung, when sentence of death was pronounced upon him, said "he could expect nothing better from the blood-suckers of Limerick," and added, "courage, courage, my boys, there are plenty of us yet!" There is reason to hope, however, that outrage had nearly reached its extent and was on the decline. Some ridicule the fears that were expressed at Dublin, says the latest accounts.

Some considerable changes have taken place in the British ministry, and the "Grenvilles" have returned to office.

Arrests are frequent in Ireland, and executions follow directly. Half dozens are tried, condemned and executed, at the shortest notice, whereby the poor wretches are rendered desperate, or confirmed in their terrible pursuits. The following is a copy of a notice posted in the village of Castle-Connell:

"Inhabitants of Castle-Connell, beware; the time is not yet, but will soon come, when you will receive a sudden and terrible blow, and Castle-Connell will perish from its lowest foundation in a few days.

"When you in ruins will be buried,
"And to the lowest pits be ferried."

"No proctors, no peelers, no tithes, no taxes, small rents, and Erin go bragh."

(Signed)—"Oliver Moonshine, commander-in-chief, major I. Shun-the-day, captain Rock, lieutenant Starlight, ensign Darkness, sergeant Killproctor, commander of 25,000 men."

Stocks, Dec. 24, 3 per cent. consols 77½

FRANCE.

There is some disquietude in France, and it was believed that the chamber of deputies would be dissolved on account of their late address to the king, inserted below. The ministers had tendered their resignations—but the king would not accept of them. The address passed the chamber, 176 to 98.

Gen. Rapp died in Switzerland on the 25th Nov. Many buildings are erecting at Paris, both in the suburbs and the city.

Paris, Nov. 27.—Extract of a private letter:—Soon after the arrival of M. Monthonlon, at Paris, he presented to one of our most eminent bankers a letter written by Bonaparte a short time before his death. It ran in substance thus:—

"Monsieur L.—,

"Upon this letter being presented to you by count Monthonlon, you will pay him two millions of francs, with interest at 5 per cent. Two millions to count Bertrand, and one million to —; this being the sum of five millions, which I lodged in your hands at an interest of five per cent. I having placed this sum in your hands in Paris, in the year 1815. These sums you will pay within six months after my death. May God have you in his holy keeping!"

NAPOLÉON."

"Upon reading this letter, M. L. said, 'it is very true that the emperor did place a sum as this in my hands at the time mentioned, and I am ready to account for the same with interest, upon having a legal acquittance, &c. I must, however, send for my lawyer and state the circumstance.'" M. Le Grange came in a short time, examined the paper, and, after some consideration, said, "I do not think M. L.— is justified in paying the money upon this notification. This paper is one of two things—it is either a species of *mandas*, (that is to say, a power of attorney), and in this case it is

totally set aside by the death of the party—or it is a testamentary paper, in which latter case it is perfectly irregular and illegal—and, therefore, in neither can M. L. pay the money." Now what is to done with this said five millions?

Later. The chamber of deputies insisting on their measures, the king yielded to the storm on 15th of December—and appointed a new ministry, among whom are Peyrouron, Montmorency, the duke of Belluno, Corbier, Latour-Maubourg. The most of the new ministry were members of the chamber. They are *ultra*-royalists, and it is supposed will not long remain in power. The debates of the deputies were very animated—and the new ministry had already been attacked therein.

SPAIN.

Madrid, and other places in Spain, appear to be almost in a state of revolution or civil war. The dismissal of his ministers has been demanded of the king—he has refused to dismiss them; saying, if they are guilty let them be tried. The "Club-bists" parade the streets at night, shouting "long live liego, emperor of the Spanish republic!" A letter dated Nov. 14 says—"We appear on the verge of a dissolution of our monarchy; well informed persons say openly, that not only Cadiz and Andalusia, but the provinces of Valencia, Aragon, Catalonia, and Gallacia, are on the point of separating from the capital to form themselves into federative republics." Another letter of the 16th says—"In my letter of yesterday I informed you of the meeting of the garrison of Madrid—it has taken place, but produced no result. The National Guards only have decided, by an immense majority, that a representation shall be addressed to the king, praying him to change the ministry. The regiments of the garrison have adjourned their decisions to the ensuing week."

The prison and the balls of the Spanish secret inquisition have been thrown open for public inspection, by order of the cortes.

The present species of capital punishment which the proposed penal code now recognizes, is the *garrote*, by means of which the extinction of life seems the affair of an instant. The victim occupies a seat which is attached to an upright post, an iron collar is placed round his neck, and strangulation is produced by turning half round a multiplying screw, which brings the collar close to the post. There is observed no convulsion, no movement of agony. The *garrote* is as expeditious as the guillotine, and it sheds no blood.

Later. We have a multitude of articles shewing the disordered state of Spain. It is evident, that an extraordinary degree of agitation exists. The king had returned to Madrid, and, on the 6th Dec. the ministers again tendered their resignations—he refused to accept them, and said—"I will never consent to deprive myself of the assistance of men who, like you, have lately given so many proofs of devotion to my family, and who have rendered so many services to the state. You may abandon me; but it will never be with my full consent that I shall accept your resignations. I know the intentions of the faction which has caused the misfortunes of Spain, and which menaces our ill-fated nation with still greater disasters. My revolted subjects conspire against my life, and, like the unfortunate Louis XVI. I am destined to be the second victim of the revolutionists of Europe; but, at least, I will not perish as he did, who has justly been designated the 'martyr king;' I will meet death, sword in hand, at the head of my guards."

The idea of establishing a republic is entertained in many parts of Spain: and the king, and all that belongs to royalty, is severely ridiculed. Matters have proceeded so far that, at Cordova, two regiments, one shouting "king and constitution," the other "Riego," engaged one another, and had a bloody battle.

ITALY.

12,000 Austrian troops are to remain in the Sardinian states to preserve tranquility, until Sept. 1822—when, it is said, the allied sovereigns will decide what further measures shall be taken.

RUSSIA.

In the event of a war between Russia and Turkey, the king of Prussia is engaged to furnish an auxiliary corps of 30,000 men.

RUSSIA.

The Russian force on the Pruth is represented at 180,000 men, and fresh troops were marching with the same destination. It seems now agreed that Alexander has resolved to declare war against the Turks; and a hope of the contrary is given up even in the British ministerial papers. We are not distinctly informed of the particulars on which this opinion is founded; but there does not appear to be any doubt as to the present intentions of Russia; which, it is said, the Turks have provoked by new and wanton outrages on the Greeks—such as beheading a number of them and depositing their bodies before the door of the interpreter of the Russian embassy. Baron Stroganoff is in great favor with the emperor; this shews that his proceedings at Constantinople are entirely approved. The latest accounts positively affirm that the divan had rejected the Russian ultimatum; nay, it is said, that the Turks have themselves declared war.

TURKEY.

Athens has been abandoned by the Greeks, and a part of the city was destroyed by fire—but the remains of antiquity are said not to have been injured.

The Greeks have gained a great victory over their enemies at *Thermopylae*. The Turks were commanded by four pachas. The battle was hand to hand, and most desperately contended. The Greeks lost 1200 men, but captured 300 waggons with provisions, &c. 7 pieces of cannon, much ammunition, 17 colors, &c. The loss of the Turks is not stated—but it seems as if it must have amounted to several thousands. The Turks, reinforced by a squadron from Egypt, making in all a fleet of sixty sail, including four line of battle ships, attacked the Greeks, and, after three days fighting, were totally defeated, with the loss of 21 vessels captured and 16 burnt. See "*Ionian Islands*."

The Turkish divan, according to advices from Vienna, 6th November, had ordered 106 Greeks of Cyprus and Candia, to be beheaded. There have been 65 English officers made prisoners in the disguise of Turks, who were found on board three Turkish ships captured by the Greeks. The English were sent to Hydra. A number of Jews captured at the same time, were put to death.

Constantinople is in a state of anarchy. No man's life seemed secure from assassination. The Turkish armies in Moldavia and Wallachia were to be increased. The Greeks have obtained great advantages in Candia. Assassinations are frequent in Macedonia. Tripoliza having fallen, the Greeks were about to proceed against Patras—their force was 18,000 men. The Turkish garrison of Tripoliza, except some chiefs, detained as hostages, was put to the sword. The Parguinotes, assisted by

the Souliotes, recently made a desperate attempt to recover Parga; but were repulsed—some of them fled to Corfu, from whence they were ordered away, in ten days, by the British governor, sir T. Maitland. The Greek monks on Mount Athos amount to 12,000, of whom 8,000 are well armed. The mountain is also fortified.

Later. The Greek senate has transferred its sittings to Tripoliza. Ali, pacha of Janina, is said to have sent them two millions sequins. Many places have surrendered to them. Only two places remain possessed by the Turks in Candia—this is a severe blow upon them. We have many other particulars, but in general it may be sufficient to say, that the Greeks are prosperous. An article dated Brussels, Dec. 13, says "A long account published at Leghorn, of the taking of Tripoliza, [translated from the Greek,] after describing the entrance of the Greeks into the city by escalade, says, "Above 30,000 men penetrated into the streets; they seek, they demand the hostages; they were no more! the holy archbishops and bishops had been massacred. At this news, the fury of the Greeks knew no bounds; 8,000 Turks, bearing arms, were put to the sword; 12,000 or 13,000 others, of all ages and both sexes, suffered the same fate! In the coffers of the vizir, the beys, &c. eighty millions in specie were found. Above 100 brass cannon were taken, and 20,000 muskets, and a great quantity of ammunition. The martyred archbishops and bishops were seven in number. Among them we particularly regret those of Moneimbasia and Amvolia, of which Tripoliza was the see. We have to lament also 600 other hostages, whom the infidels have put to death. As for the brave men who died gloriously in the assault, their number is scarcely 300."

The London "Courier," "as in duty bound," rails enormously at the Greeks for their cruelties—but the Turks, acting under the orders of a "legitimate" government, may murder the Greeks, and their women and children—their patriarchs, archbishops, bishops and priests, &c. at—discretion. Turkey is the ally of England—the "great and good ally;" and we may soon expect to hear the "magnanimous Alexander" abused in England and in the *United States*, because he has commenced hostilities against the barbarians. Nay, it is very possible that the *Janissaries* will be called "patriots."

As to Alexander, he is as ambitious as Bonaparte ever was, and acts upon the same principles in a different way. About his success we are in no wise interested; but we shall exult at his proceedings, if they relieve the Greeks of their oppressors, the Turks. They cannot be worsted by a change of masters.

The "Courier" has a horrible account of the massacre of the Turks and Jews, with their wives and children, on the surrender of Navarrin and Tripoliza; but says nothing of the cause, the murder of the Greeks therein, that brought about these terrible retaliations—though these were notorious.

It is affirmed that the Porte has rejected the ultimatum of Russia, whose army is on the "war footing," and apparently waiting only for a favorable moment to strike effectually at once and so prevent a slaughter of the Greeks.

IONIAN ISLANDS.

The British protector has declared the whole island of Zante under martial law, in consequence of the "perfidious, highly seditious and infamous conduct" of the inhabitants.

This proceeding, we presume, took place on account of the following transaction—the Turkish fleet, in the Ionian seas, being met by a Greek squadron, was defeated with the loss of several vessels captured or sunk. The rest fled to Zante for safety—the Greeks appeared off the port, in pursuit, to complete their victory. The people collected and insisted that the Turks should be driven out—the British governor would protect the *allies* of his king—a great riot took place, and order was not restored until after seventeen of the people were killed.

Later. It is reported, that the people of these islands have resisted the British authorities, and that several skirmishes had taken place. We shall be really glad to hear that the “*protectors*” are driven out. The government of these islands is a perfect despotism.

EGYPT.

Canal of Alexandria. This canal has received the name of Mahmud, in honor of the sultan. It terminates a few feet from Pompey's Pillar, and begins at the Nile below Saoué. It is 4,706 toises in length, 15 in breadth, and 3 in depth. It was begun in January, 1819 with 100,000 workmen; the number the next month, was increased to 250,000. The pay of each man was a piaster per day. In May 30,000 workmen from Upper Egypt, were added to those already employed, and the canal was completed September 13th, 1820. The works were directed by six European engineers.

PERSIA.

Persia having declared war against Turkey, the crown prince is said to have entered Bagdad at the head of 10,000 cavalry, after which he put the Turkish garrison and many of the people to the sword. It is thought that the shah has an understanding with Russia; and the present invasion will entirely prevent the Porte from drawing troops and supplies from his distant Asiatic possessions. Indeed, it is reported that the Persians will endeavor to push their conquests into Asia Minor, and occupy the south west coasts of the Black sea. Later accounts shew that the Persians had several times beaten the Turks—they were advancing rapidly. The news of their progress had caused great agitations at Constantinople.

EAST INDIES.

We still hear of the ravages of the cholera morbus—by which great numbers of people are swept off.

BARBARY POWERS.

The total destruction of the Tunisian fleet, and the loss of 2000 men, in a gale of wind, near Tunis, is announced by way of Malta.

HAYTI.

The blacks of the late Spanish part of this island, taking advantage of the revolution which has just happened, are reported to have hoisted the flag of Hayti, and sent off a deputation to Boyer, that they may be incorporated in the republic. This was to have been expected. Under a man like Boyer, if he should happen to live and remain in power a few years, this island must assume a very respectable rank among the states of the world.

MEXICO.

All this great empire, Vera Cruz excepted, is independent of the authority of Spain. The election of deputies to the general congress was to have, been held in Dec. last.

The person who is called gen. Long, at the head of 50 or 60 men of all nations, lately attacked, and, without opposition, took possession of La Bahia. A party of 180 men were sent from St. Antonio to

make prisoners of Long's party as a band of robbers, which they did. They were sent to Saltillo for trial.

FOREIGN STATE PAPERS, &c.

France. From the *Paris Moniteur* of Dec. 1. Yesterday, November 30, at 8 o'clock in the evening, the king received in his cabinet, the simple deputation of the chamber of deputies, composed of the president and the two secretaries, who, conformably to the orders of his majesty, delivered to him the address voted by the chamber.

The address voted by the chamber of députés, in a secret committee on the 26th of November, is in the following terms:

“*Sire*—Your faithful subjects, the deputies of the departmen s, approach the foot of the throne, with the profound expression of their devotion and respect; to which they are happy to be able to add that of truth, which a legitimate king is alone worthy of hearing.

“Your sorrows, *sire*, have been those of all France; she consoles herself, with her king, on the sacred cradle in which reposes the heir of our love, and that of your example. This infant will accomplish the promises of his birth, and the desires of your tenderness. He will grow up under your eyes, for the public happiness; and, full of your mind, he will unite all hearts.

“We congratulate you, *sire*, upon your continued amicable relations with foreign powers, in the just confidence, that a peace so precious, has not been purchased by sacrifices incompatible with the honor of the nation, and the dignity of your crown.

“The benevolent thoughts of your majesty extend to all the calamities which afflict Europe. Foreigners, as well as Frenchmen, bless the protecting hand which aids them for the honor of humanity. Let religion, let the interests of subjects, weigh fully in the scale of a generous policy, and these calamities must find a term.

“Thanks are due, *sire*, to your tutelary foresight! Our menaced frontiers invoke it in their peril; they solicit the most effectual and rigorous measures to close every channel of introduction to the contagion.

“The prospect of our internal situation; the progress of industry and of the arts; the new life promised to commerce by increased facilities of communication; the riches of the public treasury, which increase our credit; the progressive reduction of taxation which a more extensive economy will still further alleviate; the hope of renouncing provisional measures, and the first steps made under your auspices, towards a regular system of administration; the order and discipline of a faithful army, which honor, and a love of its king, have invincibly attached to its banners; all these features united, form, *sire*, a picture of general prosperity, well calculated to affect the paternal heart of your majesty.

“Organs of the gratitude and filial piety of your subjects, we do not fear that we shall diminish a joy so pure, by causing to be heard at the foot of the throne, the respectful complaints of the agricultural interests, that fruitful nurse of France. Their continually increasing distress in the departments of the east, west and south, proves the inefficacy of the tardy precautions which are opposed to the fatal introduction of foreign corn.

“An interest not less urgent, affects the first necessities of your subjects. Full of those generous sentiments which your majesty has known how to read in their hearts, they claim the compassion of

your gracious views. They await those necessary institutions without which the charter cannot exist. They demand of its immortal author that the whole of our laws may be placed in harmony with the fundamental law.

"Then, sire, all the wishes of your majesty will be accomplished; the passions will calm of themselves, and mistrust will vanish.

"The monarchical and constitutional spirit, which is the spirit of France, will attain, without effort, that unity of views which your high wisdom recommends to us. A government, constant in its principles, and firm and sincere in its course, will insure the glory and stability of that throne which has been so nobly styled by your majesty the 'protector of public liberty.'

To which the king replied:

"I know the contents of the address which you present to me.

"I know the difficulties which attend the sale of corn. Notwithstanding the recollection of a recent dearth, I have for the first time, restrained the importation of foreign grain. The laws have been executed, but no law can prevent the inconvenience which arises from a superabundant harvest; the whole of Europe experiences it at this moment.

"The amelioration of a plan of which the chamber has traced, speaks in favor of the acts of my government. They can only be preserved and multiplied by the loyal concurrence and wisdom of the chambers.

"In exile and persecution, I have supported my rights, the honor of my race, and that of the French name. On the throne, surrounded by my people, I feel indignant at the bare supposition that I can ever sacrifice the honor of the nation, and the dignity of my crown.

"It is pleasing to me to believe, that the majority of those who voted this address, have not duly considered the import of all its expressions. If they had had time to consider them, they would not have hazarded a reflection, that, as a king, I ought not to characterize—as a father, I wish to forget."

RUSSIAN NOTE. *Vienna, Nov. 10.* We are now acquainted with the note, in the form of a circular, which the court of St. Petersburg has communicated to all the cabinets of Europe, on the subject of its differences with the Porte. It is known that this note gave occasion to important deliberations in the privy council of the emperor Francis, and that the result was the unexpected journey of prince Metternich to Hanover.

"It cannot escape the sagacity of the cabinet of — (says the circular) that the Russian cabinet was never in a more favorable situation than at present, for obtaining, by means of war with the Ottoman Porte, the conditions proposed to the divan by the Russian ambassador—conditions equally dictated by the interests of the Greek church as by public opinion; which, in all Christian countries, and particularly in Russia, is strongly expressed in favor of the Greek nation, so tyrannized over and oppressed by the Turks. The emperor of all the Russias, having nothing so much at heart as the pacification of Europe, is disposed to make the greatest sacrifices for the preservation of peace; and his majesty is ready to renounce every idea of war, if the European cabinets should in their wisdom, find a means of obtaining from the Ottoman Porte, guarantees capable of protecting the Christians of Turkey from the renewal of the revolting scenes,

of which they have been the victims. Such being the dispositions of his imperial majesty, the courts of Europe are requested to consider immediately of the means proper for obtaining the desired object, and thus to relieve him from obtaining by force of arms, those conditions which the honor of his crown, the maintenance of treaties, and the protection which he owes to religion and humanity, render it his duty to require from the Porte."

In the *Moniteur* is the following additional paragraph to this note, under the date of *Vienna Nov. 14*

"This note further expresses with confidence, that the Porte, animated with a sincere desire to preserve peace with the Christian powers, will renounce all persecuting measures against Christian subjects; and will endeavor to re-establish internal tranquility in several of the European provinces, by promulgating a general amnesty. The Porte will further engage to observe religiously the treaties existing between it and Russia. Austria and England will, on their side, take measures, as they have heretofore taken, that their subjects lend no aid whatever to the insurgents of Turkey. The Baron de Lebzeltern, Austrian ambassador at St. Petersburg, has received an authentic copy of this note, to present to the divan, by an extraordinary courier, despatched direct from Hanover by M. de Metternich, and he will not fail to give official communication of it to the count de Nesselrode."

TURKISH FIRMAN. *Lemberg, Nov. 5.* Our gazette of to-day contains the firman of the sultan, which was published at Jassy on the 18th of October.

"High honorable and mighty counsellors, wonderful governors, prudent and penetrating plenipotentiaries, endowed by the king of Heaven with divers gifts to conduct the affairs of nations, thou Bekis pacha, now governor and nazir of Ibrail, and thou the regent of Moldavia, visir my Salih Pacha!

"Our sublime porte has learnt that in the provinces of Moldavia and Wallachia, the rebels have been annihilated; that some of our faithful rajas have returned to their possessions; that others are disposed to do so, and that if they defer, it is merely because for want of a reigning prince; not only the revenues of the principality, such as the receipts of the customs, the salt works, &c. are paralysed, but also the cultivation of the lands of the proprietors, who had fled to Cronstadt, is wholly at a stand. The two provinces of Moldavia and Wallachia, being considered as the granaries of our powerful empire, and the return of tranquility and the security of our subjects, in these provinces, being absolutely necessary, we, as well as our high and distinguished plenipotentiaries, have issued orders, stating that all faithful and loyal subjects, who have sought refuge in the neighboring states, may be assured of the most perfect safety for their persons and properties, and of the continuation of their privileges, and that every one may return home without fear and apply himself to the cultivation of the land. All these regulations are to be published, as well in the capital as in the country towns and villages.

"In this state of things are to remain till the appointment of a prince; and meantime the plenipotentiaries will collect the revenues of the principalities, and govern the country according to the laws. Lastly, as it appears from the report of the visir regent of Moldavia, that in the preceding proclamation, no special mention was made of the

Boyards, and for this reason they hesitate to return; and as it results also from the representation made by the calmacon of Moldavia to the sublime Porte, as well as from a petition signed by many Boyards, that they have been particularly faithful and innocent; we charge you Boyards to make known these our most high commands, to all persons concerned, and to acquaint all our subjects with them. Hasten, without distinction of rank, to take every opportunity to return, for it is our will that all our subjects shall enjoy tranquility and security; and no one, of whatever condition he may be, has any thing to fear if he is innocent and upright, but may depend on our imperial favor. Let every one, therefore, perform his duty; it is for you to make this order generally known."

THE GREEK CAUSE. *From the Frankfort Gazette.* Public papers contain the following information respecting Ypsilanti's dispute with the people of the Morea. After the capture of Malvasia and Avarin (Novarine), the capitulation, it is known was broken by the Greeks, and the inferior commanders revolted against the Archistrategos, who, it appears, with the consent of the then high council, embarked at Calamata, along with some of his partisans for Hydra. He left behind him the following proclamation, several thousand copies of which were immediately printed:—

"*To the Hellenians!*—When I landed on the coast of that country in which my forefathers once ruled, I hoped to find unity, obedience and order; but I soon perceived how much I had deceived myself. Hundreds wished to command, and no one was willing to obey. With extraordinary exertions, I succeeded in collecting a few thousand men under the banners of freedom. Hard, and even (with respect to me,) dishonorable conditions were made; but I sacrificed every private interest to the great and noble object; the attainment of which every true Hellenian must have in view—namely, the restoration of ancient Greece. We conquered—the Mussulmans, trusting to my sword, surrendered themselves into my hands. But my soldiers revolted against me, and—what baseness—like barbarians destitute of honor and good faith, massacred unarmed men; and those who did this deed call themselves Hellenians!—Spartans! After this transaction, so disgraceful in the eyes of the civilized people of Europe, who were preparing to assist you, I resign my rank, as I could no longer hold it without a sense of shame. I leave the Peloponnesus firmly resolved never again to return, until all the commanders declare themselves willing to attend a general meeting in an appointed town. The object of the assembly should be to come to understanding on the means which yet may be employed for the deliverance of the country, and on the giving me sufficient powers suitably to punish any future disobedience. This is the only remaining measure by which we can bring to an honorable conclusion the contest in which we are engaged; since by any other course honor would inevitably be sacrificed. My resolution is decided and unalterable. Should these words of peace not be listened to, I am prepared, with the brave Hydriots, my noble friends, as a Hellenian, as a Spartan, as the descendant of renowned Grecian princes, to die, perhaps, uselessly, but still with honor. These are my last words. May God enlighten the Hellenians, and bless their arms.

DEMETRIUS YPSILANTI.

Given at Calamata, 12th Aug. 1821.

The Moreans soon perceived how injurious the removal of Ypsilanti was to their cause; and, on a strong representation of the senate of Calamata, it was resolved to send a mission to Hydra, with the promise to fulfil all the conditions Ypsilanti required. The mission had the happiest result. Ypsilanti returned to Calamata, and brought with him several foreign officers, and a formal treaty, in which the people of Hydra, Spezia, and Ipsara, stipulate to make common cause with the Morean insurgents. The successful conclusion of so difficult an affair will probably have favorable consequences for the Greek cause, which has suffered so much from division.

Prince Ypsilanti was still at Calamata on the 25th of September.

GREEK VICTORY. The following is the report of the victory achieved by the the Greeks at the pass of Thermopylae. It is addressed to the chiefs of Peloponnesus:—

"*Thermopylae, Aug. 25, (Sept. 6) 1821.*

"Respected chiefs—It is with unbounded pleasure I announce to you a new victory achieved by our troops in the very passage where Leonidas formerly sealed with his blood, the liberties of our country.

"Four pachas were ordered to direct their march on the Peloponnesus. One of them, Bekir pacha, beaten and wounded near Platamon, died the next day after his arrival at Larissa.—The three other pachas, Pechiem, Memis, and Saim Ali, after having formed a junction in this town, arrived at Zeitoune on the first of September. On the 3d, they lay at Molos. The 4th, at break of day, six officers were sent, at the head of three hundred chosen men, to reconnoitre the passage which we guarded. Of this number only sixty returned to Molos. The three pachas at the head of their combined forces, resolved to force the passage.

"The action began two hours after sun-rise.—The first attack of the enemy was most impetuous. The delicauris, who formed the advanced guard, being attacked in front, supported a heavy fire for a considerable time.

"Fatigued with their resistance, our troops fell on the barbarians, sword in hand, without however succeeding in dislodging them from their position. This obstinate resistance of the Turks, was supported by fresh troops, which being placed behind, continually advanced, and prevented the others from falling back, as they stopped up the passage. At last, the brave Pallascas rushed forward, at the head of four hundred of his guerillas, and routed the regiment, which up to that moment was immovable. This brave corps decided the victory. Attacked on all sides, the enemy saw safety only in retreat; but being pursued with fury, they left all the country, from Fondana and Bascilica to Molos, covered with dead. The small number of the Turks that escaped the fury of the victors, took refuge at Zeitoune.

"What we have gained by this affair is, three hundred carriages with provisions, seven pieces of cannon, seventeen colours, all the baggage, thirty-two superb Arabian horses, and a great number of cavalry horses beside. Our soldiers have taken ample booty in fine dresses, arms and silver.

"The brave captain Gouras killed Memis pacha with his own hand. Ali pacha was grievously wounded, and borne away in the arms of his delicaches. Our soldiers, in traversing the woods, and the passes in the environs, have found many Turks, whom fear had driven to take refuge there. The

Balucbachi Frassaris, an Albanian, who, with Sourmis Bey, had a month before, been exchanged for the brave Ally George Dyobonites, under a promise not to take up arms against the Greeks, has been retaken and shot.—We propose very soon to advance on Zeitoune, to push on the attack.

ANASTASE PERONAS."

Seventeenth Congress—first session.

IN THE SENATE.

February 1. The following letter, from the vice president of the United States, addressed to Mr. King, of New York, was read by that gentleman to the senate:

Washington city, Feb. 1, 1822.

Dear sir—My health has suffered so much on my journey, and since my arrival at the seat of government, that I am desirous, as soon as the weather and the state of the roads will permit, to return to my family. And I have to request that you will be good enough to communicate this determination to the senate at their meeting this day.

I have the honor to be, with great respect,

DANIEL D. TOMPKINS.

The hon. Rufus King.

The senate proceeded to ballot for a president pro tem. On the first ballot, Mr. Gaillard had 22, Mr. Macon 14, Mr. Lowrie 5, Mr. Dickinson 4 votes and 1 scattering; on the second ballot Mr. Gaillard had 25, Mr. Macon 17 and 4 scattering—so Mr. G. was elected, and conducted to the chair, on which occasion he expressed his thanks for the confidence reposed, &c.

February 4. After other business, the resolution offered by Mr. Ruggles on Friday last, was taken up and agreed to.

The senate took up the report of the committee of claims, unfavorable to the petition of Rebecca Hodgson. [She prays payment for a house rented to the government for the use of the war department, when the government was first removed to Washington, in the year 1800, which house was burnt—the petition being grounded on a stipulation in the lease, that the premises should be returned in the condition in which they were received, inevitable accidents excepted.]

The report was opposed at considerable length by Mr. Pinkney, who argued and referred to testimony to shew that the petitioner was entitled to payment according to the terms of the contract, that the claim was sustainable in law, were the government suable, and that it ought to be allowed. He concluded by moving that the report be recommended to the committee of claims, with instructions to report a bill for the relief of the petitioner to the extent of the value of the house.

Mr. Ruggles spoke at length in reply to Mr. Pinkney and in support of the report of the committee. He took a particular view of the circumstances of the claim, and the evidence on which it was founded, embracing the contract of the lease, to shew that the petitioner had no rightful claim on the government for indemnity.

After some further remarks, the report was simply re-committed for re-examination.

Other matters transacted will appear in their course.

February 5 The resolution moved by Mr. Barton, on the 1st instant, was taken up and agreed to, in the following words:

Resolved, That the committee on the judiciary, be instructed to inquire into the expediency of providing, by law, a mode of referring disputed pecuniary claims of individuals, either of a legal or equitable nature, against the United States, to the federal judi-

ciary within the several states or territories, for ascertainment and decision.

A resolution submitted by Mr. Eaton, directing a committee to report a bill for making a pavement from the capitol to Georgetown, on the Pennsylvania avenue, was taken up and agreed to.

Much time was spent this day about claims to land, &c. Nothing decisively acted upon.

February 6 Mr. Smith, of S. C. from the committee on the judiciary, to whom that part of the president's message was referred, which related to the subject, reported a bill for the establishment of a territorial government in Florida; and the bill was read.

The remainder of this day's sitting was occupied on a motion about some land titles in Louisiana, which involved certain matters about the treaty of cession to France, &c:

HOUSE OF REPRESENTATIVES.

Tuesday, Feb. 1. Mr Cooke's resolution for information on the subject of extra compensation to the attorney general, was laid upon the table, on the promise of Mr. Wright to furnish the information required.

Many reports were received from committees, &c. not necessary to notice just now.

The house resumed the consideration of the apportionment bill. A motion to fix the ratio at 41,500 was discussed in the house, on which a question of order arose, which called forth much speaking; the decision of the chair was reversed, 114 to 51—then the question on 41,500 was put and lost; for it 64 against it 114: 39,000, 42,000, and 43,000 were then proposed. A motion to re-commit the bill was then considered—another discussion on points of order took place; and at 6 o'clock a motion to adjourn prevailed.

Saturday, Feb. 2. Among the petitions this day presented, was a memorial, by Mr. Baldwin, from "The Western Missionary Society," in the state of Pennsylvania, praying for the grant or pre-emption of a tract of land in the neighborhood of the principal Indian settlement, to aid the object of extending the knowledge of the Christian religion and the arts of civilized life.

The memorial was read, and Mr. Baldwin moved that it be referred to the committee on the public lands.

Mr. Floyd proposed to refer it to the committee on Indian affairs: a short debate followed. Mr. Floyd regretted that the petition had been presented—it went to destroy the system adopted as to Indian affairs. Mr. Baldwin thought the memorial harmless—its object was benevolent. Mr. Wright was sorry to see any proposition introduced into the house connected with religion—he protested against any legislation on that principle—for that congress had as much right to regulate one religion as another, &c. Mr. Baldwin declined a discussion of this sort—he thought the reference of a respectful petition would not be refused. Finally, it was referred to the committee on Indian affairs.

Mr. Plumer, of N. H. laid on the table the following resolution:

Resolved, That the secretary of the treasury be directed to lay before this house, the amount of the public funded debt of the U. States held in foreign countries, for the last five years respectively; stating the kinds and amount of stock held in each.

Mr. Cannon called for the consideration of a resolution he had submitted on the 11th ultimo, directing the committee on military affairs to inquire into the expediency of diminishing the number of cadets at the military academy at West Point. That academy was established by an act

of congress, in the year 1802. It then consisted of ten cadets and was limited to twenty, including officers, &c. It so continued until 1812, after the commencement of the late war, when, by another act of congress, the institution was extended to, and limited at 250, at which it has ever since remained. It would seem, said Mr. C. that, after the reduction of the army from 20,000 or 30,000 to 6000, by which so large a number of officers have been disbanded, that they cannot find sufficient employment in military life, but some of them are obliged to go into the judicial department. Yet there could be no reasonable doubt that those officers were better educated and prepared for military service than the cadets; and as even the former could not find employment, it carried with it full evidence that there was a surplus of military science in this country. If that establishment was sufficiently large during the war, it must manifestly be larger during a time of peace than is necessary for the purposes of the army of the U. States.

The question was then taken, and decided in the negative, 57 to 50.

Mr. Cook submitted a resolution which had for its purpose, further inquiries about the late examination of the land offices.

The speaker laid before the house the following communication from the treasury department; which was ordered to lie on the table:

Treasury department, 1st Feb. 1822

SIR—In obedience to a resolution of the house of representatives of the 22d ultimo, directing the secretary of the treasury to furnish the house "with the annual statement of the transactions of the bank of the U. States for the year 1821," I have the honor to inform the house that no such statement has ever been rendered by the bank to this department.

The statements received by the department, which approach the nearest to that called for by the resolution, are those rendered semi-annually, upon which the semi-annual dividends are declared. Enclosed, I submit those statements for the year 1821; and also the monthly statements for the months of June and December, of the same year. These monthly statements are merely abstracts of the several accounts on the face of the books of the bank and its offices. The statements for those months are submitted in connection with the semi-annual statements of profit and loss, because they furnish the materials from which the latter are formed.

I remain, with respect, your most obedient servant,

WM. H. CRAWFORD.

The hon. the speaker of the house of representatives.

[We have received the statements mentioned in this letter of the secretary of the treasury, and shall endeavor to present an intelligible abstract of their contents in our next. Ed. Reg.]

After other business, the house resumed the consideration of the apportionment bill. Some proceedings being had, Mr. Alexander moved the *previous question*; the house refused to sustain the call, ayes 55, noes 95. A vote was then taken on the re-commitment of the bill—lost; for it 76, against it 100. Many other motions made were negatived, and the house adjourned at about 5 o'clock, without adopting any thing of a determinate character.

Monday, Feb. 4. Mr. Eustis, from the committee on military affairs, reported a bill in addition to an act, entitled "An act to reduce and fix the military peace establishment of the United States,"

passed March 2, 1821. [The first section of this bill declares, that, after a certain day, in lieu of one major general with two aids de camp; two brigadier generals, with one aid de camp each, one adjutant general, two inspectors general, and one surgeon general, there shall be one brigadier general, with one aid de camp, to be taken from the subalterns of the army. The other sections contain correspondent details. By the 4th section it is proposed to reduce the rank of the quarter master general to that of a colonel; and by the 5th section the office of commissary general of subsistence is made permanent. By the 11th section, the supernumerary officers and men of the ordnance are to be discharged.]

The bill was read twice and committed to the committee of the whole on the state of the union.

Mr. Palmer's resolution, calling for information of the amount of the funded debt of the United States held in Europe for the last five years, was taken up and adopted.

Mr. Cook's resolution, calling for further information on the subject of the examination of certain land offices, was, with the consent of the mover, laid on the table.

The house resumed the consideration of the apportionment bill under the 4th census. [Much time was spent therein—many numbers proposed and rejected.—In this day's business, as in all the rest spent on this matter, there was a great deal too much of little local feeling of a desire to legislate for states instead of a general regard to the union at large. We shall not detail the particulars—they will not "tell well." At last, 40,000 was agreed upon, ayes 116, and the house adjourned a little after 5 o'clock, having ordered the bill to be engrossed for a third reading.]

Tuesday, Feb. 5. Mr. Colden presented a petition from Isaac Baker, of Ohio, and others, his associates, stating, that, after many experiments, they have succeeded in constructing steam carriages to run on turnpike and other good roads, and praying that they may have, for the term of twenty five years, the exclusive right of conveying passengers and goods by steam-carriages, on the Cumberland road, free of toll; which was referred to the committee on roads and canals.

Mr. Colden also presented a memorial of the "American convention for promoting the abolition of slavery, and improving the condition of the African race," praying congress to prohibit involuntary servitude in the newly acquired territories of Florida; which was referred to the committee of the whole, to whom was referred the bill for the government of said territory.

Mr. Johnston submitted a motion to direct the committee on naval affairs, to inquire into the expediency of employing a greater power to suppress piracy, &c. Agreed to.

Considerable debate took place on Mr. Cook's resolution calling for further information on the subject of the examination of the western land offices, &c. and, as the National Intelligencer observes, there was some "sharp-shooting on both sides." Mr. C. said that the secretary of the treasury had withheld all information, because he could not give full information. Mr. Nelson said that he had communicated all he possessed, &c. Finally, the resolution was adopted.

The apportionment bill was read a third time, when Mr. Mallary moved to recommit the bill with instructions to strike out the words *forty thousand*, (the ratio), for the purpose of inserting in lieu thereof, the words *thirty-eight thousand*.

The motion was supported at some length by the mover and Mr. *Rhea*, and opposed by Mr. *Ross*, and then, at 4 o'clock, the house adjourned.

Wednesday, Feb. 6. Mr. *Smith*, of Md. from the committee of ways and means, reported a bill making appropriations for the support of government, for the year 1822, (the general appropriation bill), which was read twice and committed.

Mr. *Baldwin* laid the following resolution on the table

Resolved, That the secretary of war be directed, to furnish to this house a comparative view of the expenses of the army proper, for the years 1816, 17, 18, 19, 20, 21, and the estimates of 1822, arranged under the various heads of expenditures, according to the present and former organization of the department of war.

On motion of Mr. *McSherry*, it was

Resolved, That the committee of ways and means be instructed to inquire into the expediency of making an appropriation for the payment of the expenses of the general courts martial, instituted for the trial of militia delinquents of the late war, in the state of Pennsylvania.

On motion of Mr. *Floyd*, the house agreed to consider the resolution submitted by Mr. *Burton*, of N. C. (now absent) on the subject of repealing the law of 1802, relative to vaccination; and the same was agreed to.

Mr. *Mercer* submitted the following motion for consideration:

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of augmenting the number of the sloops of war in the navy of the United States.

Mr. *Mercer* stated his object—it was more effectually to suppress the slave trade. If our ships were to be used as schools in time of peace, they would be best employed in checking the progress of that trade, &c. The resolve was agreed to.

Mr. *J. S. Johnston*, of Lou. laid on the table the following resolution:

Resolved, That the secretary of the navy be directed to lay before this house a statement of what vessels are employed in the West Indies and Gulf of Mexico; and whether any vessels ordered to cruise in that quarter have failed to comply therewith; whether the force is sufficient to protect the commerce of the United States: what additional force is necessary; what measures are now in contemplation; and what public vessels can be speedily put on that service.

The house again proceeded to consider the appropriation bill. After the rejection of many motions to change the number at present inserted, and of several others to commit or re-commit the bill—40,000 was ultimately determined upon by yeas and nays as follows:

YEAS—Messrs. Abbot, Alexander, Allen of Mass. Archer, Baldwin, Barber, Ohio, Barstow, Baylies, Bayly, Borland, Breckenridge, Buchanan, Butler, Cambreleng, Campbell of N. Y. Campbell of Ohio, Causden, Chambers, Cadden, Conkling, Conner, Cushman, Cuthbert, Dane, Darlington, Dickinson, Durfee, Dwight, Eddy, Eustis, Farrelly, Findlay, Fuller, Gebhard, Gilmer, Gorham, Hardin, Harvey, Hawks, Hemphill, Hill, Hobart, Hubbard, J. T. Johnson, J. S. Johnston, Kent, Kirkland, Lathrop, Leftwich, Lincoln, Little, Lowndes, McCoy, McSherry, Matson, Milnor, Mitchell, of Pa. Moore of Pa. Morgan, Murray, Neale, Nelson, of Mass. Nelson, of Md. Patterson, of N. Y. Patterson, of Pen. Pierson, Pitcher, Plumer of N. H. Plumer of Penn. Reed of Mass. Rochester, Rogers, Ross, Ruggles, Russel, Sawyer, Scott, Sergeant, Sloane, S. Smith, Arthur Smith, W. Smith, A. Smyth, J. S. Smith, Spencer, Stewart, Swearingin, Tatnall, Taylor, Thompson, Tracy, Upham, Vance, Warfield, Whipple, Whitman, Williams, of Va. Williamson, Wood, Wright.—100.

NAYS—Messrs. Allen, Tenn. Ball, Barber of Conn. Bassett, Blackledge, Blair, Brown, Burrows, Cannon, Cassidy, Cocke, Condit, Crafts, Donison, Edwards, of Conn. Edwards of N. C. Floyd, Garnett, Gist, Gross, Herrick, Hooks, F. Johnson, Jones, of Tenn. Keys, Long, McDuffie, McNeill, Mallary, Matlack, Matlocks, Mercer, Metcalfe, Mitchell, S. C. Moore, of Ala. Moore, of Va. Nelson, of Va. Newton, Overstreet, Poissett, Randolph, Rhea, Rich, Russ, Sanders, Sterling of Conn. Stevenson, Stoddard, Swan, Tod, Tucker of S. C. Walker, Walworth, White, Williams, of N. G. Wilson, Woodcock, Woodson.—58.

So the bill was passed and sent to the senate for concurrence; and,

Between 6 and 7 o'clock, the house adjourned.

THURSDAY'S PROCEEDINGS—FEB. 7.

In senate—The president laid before the senate the annual report of the commissioners of the sinking fund.

After considerable time spent on a private claim—

The bill from the house of representatives, for the apportionment of representation according to the fourth census, was twice read, by general consent, and referred.

The senate then proceeded to the consideration of executive business; after which

The senate adjourned.

House of representatives—Other minor matters being disposed of—

The house took into consideration the resolutions offered yesterday by Mr. *Baldwin*, calling for a comparative view of the expenses of the army for a series of years; which was modified by the mover, on suggestion of Mr. *Floyd*, so as to include within its scope the military academy also.

On motion of Mr. *Fuller*, it was

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of providing by law for the discipline and instruction of the midshipmen and other warrant officers of the navy when in port, or not engaged in active service.

Mr. *Floyd* presented a communication from captain John H. Bell, acting agent for the Indians in Florida, containing information concerning their numbers; which was referred to the committee on Indian affairs, and ordered to be printed.

On motion of Mr. *Edwards*, of Conn. it was

Resolved, That the committee on the public buildings be instructed to inquire into the practicability of making such alterations in the present structure of the hall of the house of representatives as shall better adapt it to the purposes of a deliberative assembly.

Several messages from the president were received—1, respecting the boundary line between the United States and the British possessions; 2, transmitting information about the continuation of the survey of the prolonged Cumberland road; 3, a report of the secretary of war regarding cannon, howitzers and military stores.

The balances due by individuals to the navy department, were stated in a letter from the secretary.

A letter was received from Dr. *Smith*, vaccine agent, stating that the disaster which had befallen the town of Tarborough, in N. C. originated in a mistake—we shall publish the letter in our next.

The house resolved itself into a committee of the whole on the bill making partial appropriations for the support of the navy, and progress was made in the same so that it was passed. Another committee of the whole was formed on the bankrupt bill—when, after Mr. *Mallary* had spoken in favor of striking out the first section, and Mr. *Montgomery* had risen to support it—the committee rose, and the house adjourned.

CHRONICLE.

Gen. *Scott*, being invited by the city councils of Charleston, partook of a public dinner in that city on the 11th instant, at which were present the governor of the state and many distinguished guests. The U. S. schooner *Alligator*, lieut. com. *Stockton*, has arrived at Charleston, from a long cruise on the coast of Africa, during which she did not lose a man. Lieut. *S.* reports that our colony was about to settle on a healthy and eligible tract of land at Cape Messurado; 50,000 or 60,000 acres having been purchased of the native chiefs for the purpose. A river runs through the tract, which is navigable for vessels drawing 10 or 12 feet water. The English are extending their settlements in Africa, and have a number of armed vessels on the coast. The authorities at Sierra Leone shewed the greatest courtesy to lieut. *S.* and his officers, and gave them a public dinner. The *Alligator* did not meet with any slaving-vessel that she had a right to

capture; but it is computed that not less than *two hundred thousand slaves* have been carried from the coast, under the flag of *France*, in the past year! "Rejoice, the Bourbons are restored!" "France reposes in the arms of her legitimate sovereign," as Gouverneur Morris said. [The amount is too great.]

The *Macedonian* frigate is fitting out at Boston for a cruise in the West Indies, &c.

Died, lately, in Talbot county, Md. Mr. Mordecai Skinner, aged 83—he was born when his father was 72 years old, so that the father and son, two generations, filled the space of 155 years.

Orphan Asylum, Philadelphia. Individually and by companies, &c. money is pouring in to re-establish this institution. The legislature of the state granted 5000 dollars, unanimously—a member said, "let us pass the bill ere the embers of the building become cold and the tears of the orphans dry." A masonic lodge gave 100 dollars, and several other associations from 50 to 100. Messrs. Warren and Wood, of the theatre, gave a night for the benefit of the establishment—the whole receipts were 1745 dollars, net amount, deducting expenses, 1403, which were immediately paid over. The amount already received considerably exceeds the loss of property sustained.

The Cherokees and Osages. Lieut. Scott, of the U. S. army, has arrived at St. Louis from Fort Smith.—He reports a severe battle between the Cherokees and Osages at Canadian Fork, in which the latter were defeated with the loss of nearly one hundred scalps and prisoners. This is a great loss in Indian warfare.

Indian murders. We learn from Arkansas, that a party of U. S. surveyors, in the Choctaw new purchase, were lately attacked without provocation by the Choctaw Indians, who murdered all the party, consisting of ten persons, save one, who escaped to tell the news.

Damages. The master of a vessel has been sentenced at Boston to the payment of 4000 dollars as damages for abuse of a boy, on board his ship, when on a voyage to the East Indies. The boy is now in the lunatic hospital, as is supposed, in consequence of his ill treatment.

Fire. We notice the destruction of several valuable manufacturing establishments by fire, by which many productive persons are thrown out of employment.

Large jails. An act has passed the legislature of Kentucky, enlarging the *prison bounds* to the full extent of each county. This is said to have been done under an apprehension that the *federal courts* will not sanction the law abolishing imprisonment for debt in this state.

The fur trade. It is estimated in the *Detroit Gazette*, that furs to the value of \$300,000, arrived and departed from that place during the last summer. The trade of Detroit centres in New-York.

A slave. A free man of color, convicted at Savannah of enticing away two female slaves, has been condemned to one year's confinement in the penitentiary for each offence, and, at the expiration of which, to be sold as a *slave for life*.

Stockport, is a handsome village in New York, at the point where the grand canal crosses the mountain ridge in Niagara county. On the 29th July last, it contained only three families—it now has a population of 337 souls, and a weekly newspaper is published in it!

Cincinnati, (Ohio.)—As a proof of the abundance and cheapness of provisions in the state of Ohio, we give the following from a friend in Cincinnati, dated on Christmas day last:

"Pork is now selling at 1½ cents per lb.; Flour, \$2½ bbl.; fine beef, hind quarters, 2 cents; veal, 2 cents; fowls, 6½; eggs, 8 do. a dozen; butter, 10; partridges, 25 cents a dozen; turkeys, very fine, 25 cents each; lard, 2½; hams, 5—*as fine cider as I ever drank*, \$2, including barrel; apples \$1; vegetables equally cheap—*society excellent*.

[The first settlement was made in Cincinnati about 50 years since—it now is a beautiful town, and contains a population of 10,000 persons.]

Savannah. During the year ending 1st October, 1821, there was entered at the custom house in Savannah, 70,190 tons of domestic and 32,580 tons of foreign shipping, meaning, by the latter, from foreign ports. In the same period, the value of products exported, were as follows: to foreign ports, 5,885,000, coastwise, 2,600,000—together 8,485,000 dollars. About the 1st Jan. there were in port, 22 ships, 21 brigs, 26 schooners and 30 sloops.

Indiana. The first sale of lots in a town called Richmond, in this state, took place in Aug. 1816. It now contains 410 inhabitants—has a sufficiency of stores, many mechanics, and is the seat of a newspaper.

Alabama. A bill has passed the senate of Alabama to compel the Huntsville bank to resume specie payments at the expiration of six months.

Alabama is not behind Ohio in the progress of population, and, probably, outstrips all her sisters in the south-west in advances to power.

In 1816, when Alabama territory was first formed, it contained 28,000 inhabitants. By the census of 1820 it appears that there were in this state 150,000 souls*, an increase of 122,000 in the space of four years.

Since 1817, this state has purchased public lands to the amount nearly of 10,000,000 dollars. Her exports in cotton of the growth of 1821, will not be less than 3,000,000 dollars.

Champlain canal. The Albany Daily Advertiser states that there have been transported through the Northern canal, the late season, the following quantities of merchandise and lumber.

Forty-one tons of merchandise.

Four tons Congress water.

One hundred and seventy-two thousand five hundred shingles.

One hundred and forty-two thousand staves.

Two hundred and sixty thousand three hundred and ninety-nine feet of timber.

Nine million seven hundred and thirty-one thousand nine hundred and sixty-two feet boards, plank and scantling.

Commerce of Lower Canada.—During the past year 434 vessels arrived at the port of *Quebec*; tonnage 102,786; in these vessels 4,645 men were employed. Departed during the same year 436 vessels, tonnage 102,893, of these, five were new ships built at *Quebec*.

Value of merchandise imported in the year 1821, \$2,185,196.

At *Gaspe*, 21 vessels entered; 22 departed; value of merchandise imported, \$13,932.

At *New Castle*, 33 vessels entered; 28 departed; value of merchandise imported \$21,700.

Total value of importations into the province during the past year, 2,220,828. Of this amount \$40,436 were admitted free; the residue paid a duty of 2½ per cent.

The official return is only 127,901—but there are believed to be omissions sufficient to make up the amount stated—Alabama has received the chief part of the emigrants from the old southern states.

Indians. From the Detroit Gazette.—An article is going the rounds of the papers, purporting to be an estimate of the number of Indians in the United States.—The estimated number in this territory is, by this article, stated at 2700. If the writer is as much at fault in the enumeration of the Indians in those parts of the country, where we are not acquainted, as in that where we are, his calculations are little to be relied on.

In 1819, a census was taken, by the different agents upon this frontier, of the Indians within their respective agencies—with this census we have been favored from a respectable source.

The following is the amount:

	No. of Indians.
Chicago agency	8,836
Green Bay do.	4,800
Michillimaciac do.	5,717
Fort Wayne do.	2,611
Piqua do.	3,413
Detroit, within the peninsula of Michigan proper	8,000
West of Green Bay agency and east of the Mississippi, including the Sacks and Foxes, and the Indians on Rock river	9,521
	42,898

Uniform System of Bankruptcy.

Speech of Mr. Sergeant, in the house of representatives, on the 21st and 22nd Jan. last, when the bill to establish an uniform system of bankruptcy was under consideration.

January 21. The first section of the bill being under consideration—

Mr. Sergeant addressed the chair. The subject of this bill, he said, had received an unusual share of the attention, not only of the public, but of the members of the house. Its principles were so important, and so deeply interesting to the commercial world, that it was hardly surprising that it should have become an object of national concern. Although he had the honor, as chairman of the committee on the judiciary, to report the bill, yet, he said, he had no particular information on the subject, that was not common to other members of that body. It was a matter that had been discussed, not only in halls of legislation, but in newspapers, pamphlets, and circulars of every description. There was scarcely any subject that had engaged more of the public attention, and he doubted not, that it would be examined on both sides with that deliberation which was due to its nature and importance; and the discussion of it, he hoped, would terminate in a manner that was called for by the best interests of the country. It was not a matter of idle speculation.—It was looked to, on the one side, and on the other, with anxious solicitude by all: and whilst some were apprehensive of its consequences, others regarded it as a most necessary and salutary measure. The bill before the house, Mr. Sergeant remarked, was meant as a matter of experiment; its duration was limited to the period of three years. It would then cease its operation, unless all branches of the government should concur in re-enacting it. By withholding its sanction, either of the co-ordinate branches would then have the power of a virtual repeal of it, if, in their opinion, experience had given judgment against it. Such an experiment seemed to

him to be due to the constitution of the United States, which gives expressly the power of making such a law. Not, indeed, that such enactment is imperative upon the congress, but under such a state of things as now exists—and a stronger one in relation to the constitutional provision, could not have been contemplated by the framers of that instrument—it did not seem to be a duty imposed upon congress to try its effect under the sanction of the constitution. He could say, and safely say, that a large body of unfortunate men, in whose favor the bankrupt law was expected to operate, existed in the community, whose case loudly called upon this house to exercise the power given by the constitution. And they surely called with great strength, if they could point to that instrument, and say the constitution provides for us a remedy, which you, who exercise the power, neglect to apply.

In relation to the great subject before the house, there were perhaps three classes of opinion among those by whom the decision was to be made: 1st, those who were in favor of the law; 2dly, those who were against it; and 3dly, those who, coming from districts not immediately and essentially affected by its provisions, are in a measure, indifferent to its adoption, and uncommitted by the frequent arguments that have been raised upon it. To the latter class he would more particularly appeal—and he would seriously ask, whether such an experiment was not due to humanity and to policy? Was it not due to the unexampled numbers and sufferings of this description of men? There were more insolvent debtors in this country at this time, he said, than at any former period—and a great proportion, too, of such debtors who were so innocently, by the unforeseen disasters of the times. By a rapid transition we had passed from a period of unexampled prosperity, to a different state. He would not now undertake to describe the present condition of the country. It might, however, be said with truth and safety, that the class of insolvent debtors, now existing, is not composed of fraudulent men, or of men who were destitute of common prudence. They have become bankrupts by the occurrence of events against which human foresight is too limited to guard. The best men in society are among those who have been bowed down by debt, and cut off from hope of relief by the laws; and, so universal and desolating has been the sweep of misfortune, that there must be few indeed, even in this house, who have not seen and deplored it. To this congress, then, they make their appeal. Here is the constitutional depository of the power to redeem them; and they come strengthened with the argument that they can look no where else for relief. The states, who know their disasters and witness their sufferings, have not the power to relieve the unfortunate debtors. They have attempted it, but in vain. New York, Rhode Island and Louisiana, convinced of the necessity and policy of the measure, have successively enacted such laws; but they have been declared unconstitutional; and the last hope of the unfortunate debtor is suspended upon the bill on the table.—This bill, however, Mr. S. argued, does not confine its operation to relief of the debtor only. It also provides for the security of the creditor. Among the friends of the principle and object of the bill, Mr. S. went on to say, there would probably be a difference of sentiment in regard to its details. On this point, he would only observe, that it had heretofore undergone much discussion and examination, particularly by those

who had had the subject most in contemplation, and who were most anxious for its passage. If it had important defects, its friends would naturally be disposed to avoid them. For himself, he should not be tenacious in any part of the details, provided the important cardinal points of security to the creditor, and relief to the debtor, could be preserved. With respect to the debtors, the bill contemplated but one description of them, viz: merchants. Should the bill, if passed into a law, be found beneficial in its operation, its provisions might be extended as the wisdom and discretion of the legislature might direct. With respect to creditors, all were embraced.

Mr. S. adverted to the prominent characteristics of the bill, and remarked, that, although it was of an adversary character, yet he should not oppose any proper provision that might extend its operation to cases, where, by mutual consent between the debtor and creditors, the benefit of its provisions may be mutually obtained. The motive for giving it an adversary character, was exclusively for the benefit of the creditor.

Under the present system, or rather want of system in commercial affairs, the insolvent has the entire power to control the direction of whatever funds he may allot to the payment of his debts. He is, in fact, entrusted with the sole disposal of his property, and may give it such direction as caprice or conscience, hate or affection, policy or principle may prescribe. The first question, therefore, to be determined, was, whether it was expedient to take the estate out of the hands of the insolvent, and to place it in the hands of others, for the benefit of his creditors, to whom it of right belonged, or to leave it in his hands, subject to his exclusive control and direction.—On this subject Mr. S. could appeal with safety to all who resided in or near a commercial community, to say, what was the expedient course, in regard to the effects of a failing merchant? It was a question of easy solution, in which the creditor was, perhaps, more interested than the debtor.

The relation of debtor and creditor, Mr. S. observed, was deeply interesting to all classes of society. To the creditor, the constituted authorities were bound to perform the duty of justice. To the debtor, there was superadded to that of justice, the duty of humanity. Peculiarly was this case, in a country which professed to be a government of laws, where the rich and the poor yielded an equal obedience and support to the laws, and were equally entitled to their protection. It was a country of freedom, where all who participated in its conflicts, were entitled to participate in the happiness those conflicts had secured. Our government was established, not to aggrandize the lordling, and spread its glory; by trampling in the dust the child of misfortune, but for the nobler purpose of giving equal security to the peasant who sleeps on straw, and to the wealthy satrap who reposes on down. The blessings of our constitution reach beyond the palace. They enter the humble shed. They cheer the heart of the wretched with consolation, and buoy it up with hope. They redeem himself and his children from bondage, and cast their reflection upon the domestic fire-side. The once prosperous citizen looks to his family—to his social circle—to the delights of better days, which no act of folly or injustice have justly required the forfeit of; he looks with ardent gaze at the constitution of his country—and he turns to ask you, shall these blessings be lost without crime, and the ignominy of imprison-

ment be incurred without fault? Shall the creditor incarcerate his debtor at pleasure—shall the dominion of dollars and cents give him the power to say, that there he shall live, that there he shall die—and there he shall be buried. In that gloomy abode, he hangs no longer on the skirts of mercy. Hope is bounded by payment, and the limit of grace, is the balance of the ledger. It is indeed easy to say to the debtor, why did you ask for credit? And to the creditor, why did you give it? But it was not equally easy to *practise* on the enquiry. Commerce is carried on upon the principle of credit. It is uniform and universal throughout the civilized world.—So depart from it, in particular cases, might excite derision, but would rarely impart confidence, or the authority of example.

The bill under consideration, Mr. S. contended; had a strong bearing upon our public morals, and national reputation. The public morals required that the disposition of insolvent estates, should not be left to their own management, unawed by restraint, and unchecked by law—and, that our national reputation required the enactment of such a body of laws, as should secure to the creditor an equal participation in the effects of an unfortunate debtor. Wise and fit, therefore, it was that the constitution of our government should give the subject its special notice. Every civilized commercial nation, within his knowledge, had made provision of this sort. It had been done, peculiarly, for the security of the creditor—and it was matter of special observance, that, at this moment, an absent merchant in the U. States is in a worse situation, both creditor and debtor, than he would be in England, Scotland, Ireland, Holland, France or Spain. It was also worthy of remark, that no nation that has been known ever once to adopt a bankrupt system, possessed of these cardinal qualities, has ever abandoned it afterwards. There is a remarkable coincidence also in these laws of the several nations.—They come to the same result. However, they may differ in their political institutions—in their systems of foreign relation or internal government and police—yet they agree in this, and particularly in the main cardinal points of this bill—the security of the creditor and the relief and liberation of the debtor. The bankrupt law of Spain was enacted in 1737, almost a century ago. It differs in the mode of proceeding, from the bankrupt law of England, but the cardinal objects in view are precisely the same. If two thirds of the creditors in number, and one half in amount—or one half in number, and two thirds in amount, agree upon any principle of exoneration with the debtor, the rest of the creditors are bound by the compromise. So it is also in Holland—the example of which country must necessarily carry with it a greater authority than that of Spain. The Dutch have been long distinguished for their industry and wealth. No nation has better understood the principles of trade—and, their sober habits, enterprise and commercial integrity, have entitled them to an eminent rank in the history of nations. It is not until within ten years past, that they have had a bank of discount and deposit among them. A bank of deposit they had. But a bank of discount was unknown to them. Their law, like that of Spain, permits the major creditors in number and value, in like manner, to enter into a compromise that shall bind the minority. The bankrupt law of England, Mr. S. observed, was well known to all. It required neither comment nor illustration. Having been enacted so early as the year

1542: in the earliest days of commerce, in that country, when the principles of government and trade were little understood, it was not surprising, although it was unfortunate, that principles and imperfections were infused in its early progress, that have grown with its growth, and materially injured its subsequent usefulness. Under all its disadvantages, however, its operation had been salutary; and it was not now the intention of that government to expunge the system, but only to limit and define it. So harsh, and unjust and inhuman, was the law in its beginning, and so exclusively was it calculated and intended for the benefit of the creditor, that, after stripping the debtor of all his property, it consigned his body over to the creditor's mercy. Thus the law continued until the beginning of the last century. It was then found and understood that man was to be dealt with as a moral being; that, if he was affected by passion, he was also influenced by feeling; that he was operated on by motive, and that moral suasion might be resorted to with happier effect than the sturdy force of inflexible law.

Mr. S. was not about to pass an encomium on the intelligence, industry, and prudence of the British nation. Whatever it was, it was known to all; and the operation of the bankrupt system in that country, required neither argument nor illustration. Ireland had no bankrupt law until 1770. They had been acquainted with the English bankrupt law for three centuries—and fifty years ago, long previous to the union, they enacted a system of their own, which continues to the present day. Scotland had only a partial bankrupt law, till the year 1793. It was continued until 1814, when its provisions were improved and extended, and is now the law of Scotland.

Mr. S. was proceeding in his remarks on the subject, when the debate was interrupted by a message from the senate, after the delivery of which, (the usual hour of adjournment having arrived) on motion, the committee rose, reported progress, and obtained leave to sit again, and The house adjourned.

Jan. 22. The house resolved itself into a committee of the whole, on the unfinished business of yesterday, (the bankrupt bill)—Mr. Taylor in the chair.

Mr. Sergeant resumed his remarks; and begged the indulgence of the house for a few further observations on the subject. The discussion of yesterday, in his view, had led to this result—that the whole of the civilized world, so far as it was commercial, had adopted, with some modification or other, a bankrupt law; and that, whatever modification, those nations had provided, the two principal points to which he had alluded, were regarded, viz: security to the creditor and relief to the debtor. He did not mean to be understood, that there were not specific differences among those laws between the several nations. In respect to the administration of those laws the differences were considerable—but, after all, the conclusion seemed to be fixed, and that by the common consent of nations, that, where there was commerce, there a bankrupt law must be—not only as a necessary, but as a salutary measure. This consideration was fortified by the fact, that the framers of the constitution of the United States, foreseeing the destinies of our country, made this special provision—believing, as they doubtless did, that such a provision would be found essential, as the commercial resources of the nation

should be developed and expand. In the nations of Europe, to which he had referred, other things had changed. Their external relations and internal government had varied with successive sovereigns—but the principles of this law had remained unshaken. The English bankrupt law was first established under the reign of Henry VIII. at a time when commerce was just springing into life. During the various political commotions—the struggles of party and the ascendancy of faction, this law, instead of being destroyed, had gathered strength and improvement with the progress of time. It had survived the stormy period of the commonwealth—the usurpation of Cromwell—the restoration of Charles the second—and the revolution of 1688, that placed the house of Orange on the throne of England. In France, it was enacted prior to the revolution. It subsisted during the period of that tempest—was unrepealed by the fluctuating councils of the republic—by the emperor Napoleon, and is at this time, and ever has been the law of France, since the restoration of the Bourbons. Before the revolution in France, it is well known that commerce was in a degraded state. It was considered a disreputable employment; and it is rather a matter of surprize that it was carried on at all, than that it should have received any sanction from the government. It is probably owing to the degradation of trade, that we find in the first stages of the bankrupt law, such severe enactments, and such an uniform confounding of criminality with misfortune. The *Code Napoleon* mitigated this severity, and restored to commerce, in a measure at least, that consideration to which it was entitled. The Dutch law on bankruptcy, was enacted before Napoleon had placed his brother on the throne of Holland. The Code Napoleon and the bankrupt law, had since been adopted in that country, and were now in operation. All these nations, in the different periods, had concurred in the sentiment, that the failing merchant should be arrested in his career, and his property placed in proper hands for the benefit of his creditors. There were specific differences among the various nations, as to the proportions and numbers of the creditors, whose opinion, in regard to the effects of the debtor, should control and bind the rest. In England it was three-fifths; In Scotland three-fourths; In Ireland, the same as in England; in France, a majority in number, being three-fourths in amount; and in Spain and Holland, two-thirds of the creditors in number, and one-half in amount, or one-half in number and two-thirds in amount. Mr. S. also adverted to the different operations of the bankrupt law in the respective nations, and the effect which the acts of the major part of the creditors had in binding the minority, and releasing the debtor.—It seems, said he, that the common sense and common justice of mankind had conferred on this subject, and that their united wisdom had produced an uniform result. It might be said, that the example of England, and France, and Spain, were entitled to little weight in testing the principles by which a republic should be governed. So far as it applied to principles of government, he would cheerfully admit that those nations were to be regarded rather as beacons to avoid than as examples to follow. But in pecuniary concerns, that had no connexion with politics, he thought their example, uniform as it had been, carried with it great weight and consideration.

(To be concluded in our next.)

NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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The editorial and miscellaneous articles are thrown back to page 387, that Mr. *Sergeant's* speech might be preserved without a break when the volume is bound up.

We present another long article on revenue, debt and the sinking fund, with an examination of a late report of the committee of ways and means of the house of representatives, and respectfully invite a consideration of it, as belonging to the most important subject that can just now be presented to the American people. I have no doubt of being set down as a "radical" by the "LEGITIMATES." As the former term is used by one side at Washington, I cannot see why the other has not the same right to import one from "royal England," unless both terms be smuggled: then, and in that case, there is a material difference—for it is the oppressors, and not the oppressed, that may violate the law with impunity—"the king can do no wrong." However, I do not care much about names—I bore that of a "democrat" when it seemed quite as disreputable in many parts of the United States as ever that of "radical" was in England, and prided myself in it, too. After a while the term became fashionable—it grew into respect—it had a meaning, and a large majority of the people were glad to be called by it: but the sense of the word being obscured in the "era of good feelings," the majority that acted on its principles has been dispersed—not destroyed; it will be rallied again, with a vast accession of strength from those who, at the time above referred to, bore the opposing name—for, among those are many of our best and most worthy citizens. A "moving of the waters," to be "troubled" by the spirit of truth for the healing of diseases, is close at hand; and, when that takes place, a name will not avail any thing. It is by acts that our characters will be determined. "He that says he feareth God and hateth his own brother, is a liar," as the good book tells us, and it tells us true.

(*Mr. Sergeant's speech concluded.*)

But it was time to turn from the governments of other nations to that of our own. When far off it was discoverable only as an unit. It gathered magnitude and importance the nearer we approached it—but it was not until we came in view of the domestic and social relations, that its deep and lasting interests were felt and regarded. It was there that the want of such a system was peculiarly and distinctly seen. When the unfortunate and unhappy merchant was left without resource and cut off from hope. When he was surrounded by a family that Providence had made dependent upon him, and at the same time, found himself not only unable to supply their wants—but, perhaps, shut up in a prison, with the power of society acting upon him. To relieve calamities like these, the states had sometimes interposed. Mr. S. alluded particularly to the bankrupt law of Pennsylvania, which was made in 1785, before the adoption of the constitution of the United States. It was then the most commercial state in the union; and the law continued until 1792, when it expired by its own limitation. The power over the subject-matter was supposed to be transferred to the government of the United States. Mr. S. referred

particularly to the preamble of that law, which he read in his place, as containing the reasons which led to its adoption, and which must be admitted to be cogent in all commercial communities. There was probably as strong a moral sense, and as much intelligence in the state of Pennsylvania, in 1785, as there is at present, and yet the law continued in force eight years, and its operation had been regarded as salutary to the people of the state. Unlike the severity of the British law, the law of Pennsylvania did not consider the debtor as necessarily criminal because he had been unfortunate. It was adapted to the circumstances of the state, and to the opinions of the age. The enactment of a bankrupt law in the individual states, was not peculiar to Pennsylvania. It had been resorted to, also, in the state of New York—now the largest and most commercial state in the union. They long kept what was called the three-fourth act—a sort of bankrupt law, but which the supreme court of the United States declared they were not competent to make. In Rhode Island and Maryland, laws of the same description had been long since enacted; and in the state of Louisiana—a new commercial state—a bankrupt law was enacted in 1808—but was condemned as unconstitutional, by the supreme court of the United States, in the case of *McMillan vs. Minn.* It yet remains in the statute book of that state. Its principal features were taken from the Spanish law—but it is now a dead letter. How many other states had endeavored to provide such a remedy, he, Mr. S. could not pretend to say—but it was evident there were the same feelings and sentiments in the United States, as in the other parts of the world. In this country there seemed to be a peculiar necessity and propriety in adopting such a law. Commerce, so far from being disreputable, was considered as an honorable employment. It was useful, and favored by the government. But the profession was exposed to hazards. There were accidents and disasters which human sagacity could not foresee, and against which human prudence could not guard. If there was no redemption, therefore, by public law, the merchant might be deemed perpetually liable to ruin, in its most extended sense. Nor are himself and family only involved in it. It may extend to all those whom he is indebted. Whoever has often seen mercantile failures, knows that there is a sort of blindness or infatuation that seems to affect them. The insolvent is unwilling to penetrate his situation, or to believe it as hopeless as it really is; and hence, he lingers with some chimerical, undefined hope, till his affairs have become more deeply involved, and his embarrassments utterly irretrievable. He is perhaps, the very worst person that could be selected to judge of his own affairs. He is led by the delusion to keep up his credit as long as he possibly can; and yet, to him is confided the uncontrolled power of disposing of his estate. He may waste it, destroy it, or put it beyond the reach of his creditors; and when he comes to the final step of an assignment, he has then the power to make his preferences, and to provide for the circle of his friends, while his distant creditor, perhaps equally meritorious, is left without redress

or hope of payment. What is the consequence? It is now become an usage, so common as almost to have acquired the force of law, that indorsers and lenders of money are first to be paid. What but this has created the fictitious capital so deeply felt and deplored throughout this country? What but the loan of names, by which a credit is obtained, and money drawn from a bank? And yet, in case of insolvency, these persons, who, by lending their names, create the evil and enable the fictitious capitalist to borrow money, and thereby hold out false colors to decoy the unwary, are first to be paid: and, perhaps, the very goods that were sold to him on a credit, bottomed upon the loan, are sold at auction after the insolvency, to repay the loan that lured the vender to sell. That these evils will not be denied; but would a bankrupt system correct them? Mr. S. believed it would. It would distribute the effects of the debtor equally among his creditors. It would cut off undue preferences; pay to all their proper proportions; and stop the bankrupt from appointing his own assignees, and from prescribing terms to his creditor.

Mr. S. then adverted to the operation of the certificate of discharge, which would doubtless be in the minds of all. Its operation, he admitted, would be to cut off the creditor from all future claim. But he would try this, as a practical objection, and test it by experience. He would ask the question, what is the value of a claim against a failing creditor *now*, after an agreement has been made and acted on? Precisely, what it would be after a certificate of discharge was given. After an assignment the debt subsists—so it does after a certificate of discharge. The moral obligation remains unextinguished; and it has been held in the courts of law, that, upon a new promise to pay a debt, after a certificate has been obtained, is a sufficient consideration to support the action. The certificate doubtless bars the legal claim, but, if the sense of honor will induce a man to pay after an assignment, it will be equally operative after a discharge. It is notorious that society draws a line of distinction between debts created before and after a failure; and the payment of debts after assignment, creates as much surprize and is marked with as much emphasis, as if it had been done after a discharge. This consideration had, in his opinion, been greatly overrated, and more importance was attached to it than experience would warrant. It was not only private creditors, however, but the government also, which was interested in the adoption of this law. He alluded to the collection of the revenue. In cases of death or public bankruptcy, where the property is subject to a dividend pursuant to law, the government is entitled to a preference. But the case is otherwise where the failing debtor takes the law into his own hands, becomes his own commissioner, and makes such preferences as his own will and pleasure may dictate. In this way the government may lose, and has already lost very great sums of money. Mr. S. would not undertake, at this time, to anticipate the various objections that might be raised to the bill. Some had thought that, because it contained within itself severe enactments against fraud, that it pre-supposed it productive of frauds. If he, (Mr. S.) thought it was calculated to generate fraud, he would by no means support it. But it was not obvious that a bankrupt law was more liable to frauds than other modes of coercing payment. Was it an objection to an execution, obtained by ordinary process of law, that the debtor

may be guilty of fraud to evade it? It was so liable, Mr. S. contended, as the practice that now prevailed, where the bankrupt was left to make the law for himself. In the way in which the examinations were taken in England, great and frequent frauds were unquestionably practised. This was owing not so much to the bankrupt law, as to the growth of crime in that kingdom. The root of the evil was in the state of society. The lord chancellor has the sole cognizance and direction of the law throughout the realm. The examination is *ex parte* and in secret, and the merchant is ignorant of the proceeding till he finds his name in the gazette, published as a bankrupt. If he then wishes to contest the legality of the commission, he must petition the lord chancellor to avoid it. No such provision was to be found in the bill before the house; and it was strange indeed that it had ever obtained among the enlightened jurists of England. Another mischief arose in the administration of the bankrupt law in that kingdom, in relation to what were called country commissions: or such as arose out of the city of London. In those cases the commissioner was appointed by the solicitor; here he is appointed by the president of the United States. There the business was transacted without regularity, in the midst of noise; and the commissioner at one table would perhaps turn round and be a solicitor at the next; but no such mischief could exist under this bill. Another appalling objection had been, the cost and expense of an English commission. It was indeed enormous—but so were all their modes of justice, and particularly all their chancery proceedings. It had been also said, that bankruptcies occasioned delay; but it was difficult to conceive, that there should be more delay in this case than under a voluntary assignment. The weightiest argument, however, and that which seemed to have sunk deepest into the minds of the people against the bill, was the operation of the law of 1800.

Mr. S. here took occasion to advert to what he believed had proved, in its effect, the strongest argument, with many persons, against the passage of a bankrupt law, viz: the unpopularity of the former bankrupt law, which, he argued, ought to be attributed to circumstances not really affecting the merits of that system. The law establishing it, passed in the year 1800, and was limited in its duration to the year 1806, but was repealed in December, 1803; so that time was not allowed for a fair experiment under it. The law was passed, too, at a time of as great party excitement as ever existed in the United States: it made its appearance in the midst of the ferment occasioned by other measures: and the bankrupt law of 1800 is never thought of by many, without associating it in idea with other measures of that day, which had no necessary connection with it. It came into existence amidst the storm of angry passions rushing over the land: and from the moment it made its appearance, as the two parties brought every thing to a party test, it had one of these parties for its friends and another for its enemies. From this circumstance, a prejudice had arisen against a system of bankruptcy, which ought not now to have any weight, it not having now any party aspect. The objections, in general, which were made to this bill, Mr. S. went on to argue, applied with equal force to the existing systems in the United States, which were as fertile in frauds and in litigation as this system could be supposed to be. What, he asked, was the attachment law of some of the states? What was that of Pennsylvania,

which had been on the statute book for many years? It was an imperfect mode of attempting the same thing, which a bankrupt law would more perfectly accomplish. The necessity was felt, in that state and elsewhere, of some mode of laying hold of the property of those who shew, by secreting their property or by absconding, that they are in the act of failing. In Massachusetts, also, there is an attachment law, the import of which he did not precisely know. There was one in New York, too, which he understood, authorized the creditor to seize on all the effects of the absent or absconding debtor. Mr. S. here quoted the provisions of the law of Pennsylvania, authorizing, among other things, that, on the debtor's concealing himself, a general warrant may issue, &c. This, Mr. S. said, was the very act which was supposed to be so alarming in the bankrupt law, but which in that law, as well as in the state laws, was intended to prevent fraud and mitigation, &c. He anticipated the argument, that, if the states could pass such laws, it was not necessary for congress to act upon the subject, by saying, that the state laws would neither be uniform nor general in their operation, being confined to the limits of the respective states, &c. and therefore could not be an efficient substitute for a system of bankruptcy. The fact, however, that means precisely the same were employed by the states, to the extent of their powers, as those now proposed to be made general and uniform by an act of congress, went far to answer that objection to this bill.

Some there are, Mr. S. continued, who say, that a debtor ought never to be discharged but with the assent of all his creditors—that once a debt should be always a debt, unless with the assent of the creditor. If it were simply a question, Mr. S. said, between debtor and creditor, and no other person were concerned, this argument would go to a greater length than it now does. But, *society* has an interest in it, inasmuch as it is the interest of society that every man be able to maintain himself and family; &c. Could it be possible that any one would seriously maintain, that, under no circumstances would it be competent or proper, for the government to interfere between creditor and debtor, and, when a certain state of things shall have arrived, to discharge the debtor? Every advantage is given to the creditor of arresting the person and laying hands on the property of the debtor. But, when it was become evident that the debtor had given up every thing in his power; that, in the condition in which he is placed, he can neither be serviceable to himself or to others, and may, indeed, be dangerous to society, whilst, in different circumstances, he might be a valuable member of the community—would gentlemen, Mr. S. asked, contend that the creditor should for ever have it in his power to hold him in durance, &c. &c. To prevent this was one of the great objects of a proper system of bankruptcy.

What can the bankrupt do, under these circumstances. He is indebted to a large amount. He has no discharge—no exemption. If he rises, it is but to fall. If his friends assist—their advances and his own earnings are swept away, before he is able to repair his fallen fortunes. If he struggles to extricate himself, he sinks under the load, and retires broken hearted and forlorn, without even the comforts of hope to sustain him. If this alternative of wretchedness is not experienced, there is another that inevitably follows, if possible still more to be deplored. This is the covering of property under the names of others. Gentlemen must often have

seen on the stores of merchants, signs with the name of a merchant, and "A. B. agent." The agent is in reality the principal, while the professed principal has no real interest in the concern. But we are told that debtors will not be oppressed, and that creditors are benevolent. Mr. S. would admit there was as much benevolence among the creditors in this country as in any part of the world; but all history and experience had shewn, that there was a small minority in every class of this sort who were of a different description. Bankrupt laws are founded on the principle, that a majority of the creditors are benevolent; and hence it is, the law should secure to them the benefits they ought to receive. It fortifies the argument, that when a majority say that the debtor has been honest and fair, he shall be relieved by their benevolence. Mr. S. then adverted to the ineffectual, imperfect, and partial operation of the insolvent acts of the respective states, and urged that now was a proper season in which to make a law so necessary and humane. The storm beneath which so many worthy men had fallen, had passed by. The face of the world was gladdened with smiles to all, save to the unfortunate debtor. He is the only exception—the only being who, however deserving, must bear the brunt and pressure of hard times, without a prospect of relief. There was also a great national consideration involved in the question. He alluded to the necessity of local legislation that would become necessary if this relief was not extended. Jealousies and collisions had been already excited between the general and state governments; but, by granting the relief proposed by this bill, many dangerous questions may be removed. He was aware this was delicate ground. He should give no opinion upon it, further than to suggest it to the serious consideration of the house. Mr. S. expressed his unwillingness to trespass further upon the patience of the committee; and regretted the subject had not fallen into abler hands, to do it that justice which his own health forbade, but which the important nature of the question required.

☞ The communication from a New-Jersey correspondent, shall probably appear in our next.

A TREATY WITH ALGIERS, recently ratified by the senate and approved by the president, though entered into at Algiers on the 23d December, 1816, is published in the *National Intelligencer* of Thursday last. We may also record it hereafter. The third article expressly provides that *no tribute*, in any manner or form whatever, shall be required by the dey from the United States, "on any pretext whatever."

FLORIDA DOCUMENTS. Among the papers lately transmitted by the president, to the house of representatives, we find many interesting articles which we shall hasten to publish. The letters of gen. Jackson and of the secretary of state, are among the most masterly things of the sort that we ever met with: but the whole must lie over, that the matters belonging to the present volume may be reasonably brought up.

APPORTIONMENT BILL. In the senate, it seems probable that the ratio agreed upon by the house of representatives, (40,000) will not be accepted. We thought it most likely that it would not, if the senators, representing the states more immediately, were operated on by the same principles that pre-

vailed in the house of representatives. The rate of 40,000, very well suits the states of New York, Pennsylvania, Virginia, Massachusetts, Maryland, Georgia, New Hampshire, Louisiana and Rhode Island—9; and may be accepted as a reasonably good division, by Ohio and Maine—together 11 states: though the increase of it by a 1000 in respect to Ohio, and of 2000 in regard to Maine, would not lessen the number of the representatives for these states respectively, while several others above named would lose one or two members each. North Carolina, South Carolina, Kentucky, Tennessee, Connecticut, New Jersey, Vermont, Indiana and Alabama,—9 states, are opposed to 40,000 on account of their large fractions; and Delaware, Missouri, Mississippi and Illinois, though more than one representative to each can be hardly expected, will gain, however, by raising the ratio, in a large amount. See the table inserted in our last. We apprehend that so much local feeling will prevail as to procrastinate a decision on the matter to a late period, whereby many of the states will be subjected to the cost and trouble of holding extra sessions of their legislatures. The right of things demanded, that this matter should have been acted upon by the last congress—but the delay of returns from some of the states prevented it: a circumstance that, we trust, will not be forgotten when engagements are making to take the fifth census.

Mr. Randolph, when speaking on the apportionment bill in the house of representatives, appeared to assume for that house something of a superior right to fix the ratio, and deprecated an interference on the part of the senate. It would seem, generally, as if an interference by the senate might operate against the power of the house to regulate its own affairs; the members of which are, emphatically speaking, the representatives of the people and not of the states—but the senate appears to have been designed as a balance-wheel in this case as in others; though it occurs to us, that the powers undoubtedly granted to that body, which are concurrent and co-equal with those of the house, should be used with much delicacy on the apportionment of representatives and modification of money bills—yet on both, or either, it may be the imperative duty of the senate to interfere.

CORONATION. The late mummery in England has given rise to the getting up of a play at New York, in which the coronation of the late king is magnificently represented for the edification of republican Americans—and the stuff is said to have been received with a "mixture of applause and disapprobation."

THE ALLIGATOR'S PRIZE. It is stated that, on the 9th inst. judge Davis, of the United States' court, for the district of Massachusetts, sitting at Boston, decreed restitution to the owners of the Portuguese ship *Mariano Flora* and cargo, sent into that port some time since by the U. S. schooner *Alligator*. Judge Davis also stated to the court, that he should appoint commissioners to award damages to the owners for the capture, detention, &c.; and gave it as his opinion there was no cause of capture. He also stated, that, at a future day, he should award damages to the crew, for being confined in irons and treated as pirates.

THE PIRATES ON THE COAST OF CUBA, &c. have lately been as active as ever, but have no doubt received a severe check from lieut. com. *Ramage* of the United States schooner *Porpoise*, as stated

below. They had recently committed many murders. The report that com. *Chaytor*, in the Buenos Ayrean service, had hung 75 pirates at the Berry Islands, is not true—he has arrived at Charleston, in the brig *Independencia*, and contradicts the story.

U. S. schooner *Porpoise*
off the North Coast of Cuba, 20th January, 1822.

Sir—Having completed the necessary equipments of this vessel, at New Orleans, on the 7th inst. and previously given public notice that I should sail from the Balize on the 10th, with convoy, I have now the honor to inform you that I proceeded to sea on the day appointed, with five sail under my protection. On the 15th, having seen the vessels bound to Havana and Matanzas safe to their destined ports, I made all sail to the westward, and on the following day boarded the brig *Bolina*, of Boston, Gorham master, from whom I received the following information: That, on the day previous, his vessel was captured by pirates, and robbed of every material they could carry away with them, at the same time treating the crew and himself with inhuman cruelty. After supplying him from this vessel with what necessities he required, I made sail for the land, and early the following morning, (Saddle Hill, on the north coast of Cuba, then bearing S. by E.) I dispatched our boats, with forty men, under command of lieut. Curtis, in pursuit of these enemies of the human race. The boats having crossed the reef, which here extends a considerable distance from the shore, very soon discovered, chased, and captured, a piratical schooner, the crew of which made their escape to the woods. Lieut. Curtis very judiciously manned the prize from our boats, and proceeded about ten miles to leeward, where it was understood, the principal depot of these marauders was established. This he fortunately discovered and attacked. A slight skirmish here took place, but, as our force advanced, the opposing party precipitately retreated. We then took possession, and burnt and destroyed their fleet, consisting of five vessels—one of them a beautiful new schooner, of about sixty tons, ready for sea, with the exception of her sails. We also took three prisoners; the others fled to the woods.

In the affair just mentioned, the officers of the expedition state the enemy's loss to be severe. Only one man was wounded in our boats—and it is worthy of remark, that this man was one of their own gang, then a prisoner in our possession, and surrounded by our people.

The destruction of this place will, I trust, be of some service. From information by me received, it was their principal depot, from whence they dispatched squadrons to Cape Antonio. These returning, loaded with plunder, it was transhipped to Havana in vessels sent from there for that purpose. Stores and materials were collected on the spot, not only for repairing but building vessels.

The prisoners now on board are recognised by a seaman in my possession, who was one of the crew of the English ship *Alexander*, of Greenock, lately burnt by these pirates; and, not content with destroying the vessel, they inhumanly butchered her unfortunate commander. The seaman in question, I retain as an evidence in the case.

Lieut. Curtis speaks in the highest terms of the gallantry and good conduct of midshipmen Pinkney, Kingston and Morris; as also of doctor Terrell, and every other officer and man employed in the expedition. Nothing could exceed their ardor in pursuit but their enthusiasm in attack; and both

affording abundant proof that more would have been done had more been required.

I have manned one of the schooners taken, a very fine fast sailing vessel, and keep her with me. She will prove of great service in my farther operations on this coast.

I cannot close this letter, sir, without naming to you lieut. Curtis, whose conduct, not only in the present instance, but in every other respect, during the period he has been under my command, has merited my warm and decided approbation.

I have the honor to be, &c.

JAMES RAMAGE.

*Honorable Smith Thompson,
secretary of the navy.*

Extract of a letter from lieut. Ramage, of the United States' schooner Porpoise, to the naval officer commanding at Charleston, dated

*"Off the North Coast of Cuba,
25th January, 1822.*

"I have just time to tell you I shall be at Charleston in two or three weeks. I have taken and destroyed six piratical vessels, burnt two of their establishments, killed some of their people, and have now some prisoners on board. I also recaptured from them an American vessel, which had been in their possession three days. I have one of the schooners taken, acting as a tender, and find her of great service."

"RUSSIAN AMERICA." *From the National Intelligencer of Feb. 12.* We have received, from an authentic source, an official copy of the edict of the emperor of Russia, establishing "boundaries for navigation" along the coast of the Aleutian Islands, and on that part of the North West Coast of America "appertaining unto Russia." The date of the edict is the 4th of September last. The regulations are of great length, but, as they may be of importance to our mercantile readers, and particularly to those interested in that trade, it is probable we shall publish them in extenso. The two first rules contain the pith of the whole matter, which we therefore present at once, viz:

"Sec 1. The pursuits of commerce, whaling and fishery, and of all other industry, on all islands, ports and gulfs, including the whole of the north west coast of America, beginning from Behring's straits to the 51st degree of the northern latitude; also, from the Aleutian Islands to the eastern coast of Siberia, as well as along the Kurile Islands from Behring's straits, to the South Cape of the Island of Urup, viz: to the 45th deg. 50 min. northern latitude, is exclusively granted to Russian subjects.

"Sec. 2. It is therefore prohibited to all foreign vessels, not only to land on the coasts and Islands belonging to Russia, as stated above; but also to approach them within less than a hundred Italian miles. The transgressor's vessel is subject to confiscation, along with the whole cargo."

The same paper of the 13th Feb. adds—We have informed our readers that we have received an entire copy of the edict of the emperor of Russia respecting trade in the Aleutian Islands and on the North West Coast. One regulation interesting to traders, but not contained in that edict, has come authentically to our knowledge, viz: That the edict is to take effect, as to vessels of the U. States which leave the ports of the U. States, after the first day of July next, and as to vessels which leave the ports of Europe, after the 1st day of next month.

"CABINET SECRETARIES" *From the Illinois Gazette.* An auctioneer in the city of Washington advertises for sale "three cabinet secretaries." There are four officers of the national cabinet, entitled secretaries, viz: the secretary of state, secretary of war, secretary of the navy, and secretary of the treasury: which of the four are to be thus disposed of, or for what crime, we are left to conjecture.—In some states of the union, the penal code authorizes the sale of human beings for certain crimes or misfortunes, but it cannot be imagined that either of the distinguished gentlemen, at the head of the departments above named, can have incurred the dread penalty of the law. How, then, are we to understand this singular advertisement?

BANKS IN MASSACHUSETTS. A recent return of the condition of the several banks in this state to the legislature, presents the following result:

Capital stock paid in,	9,900,000 00
Cash deposited,	4,101 468 63
Bills in circulation,	3,497,275 00

\$17,498,743 63

Value of real estate,	438,942 87
Amount of all debts due,	14,697,470 69
Specie on hand,	1,432,740 76
Bills of state banks,	401,429 55
Bills of other banks,	98,674 00
Reserved profits,	40,091 82
Deposites in other banks	825,444 81

\$17,934,794 50

LIABILITY OF CORPORATIONS. An act has passed the legislature of Massachusetts, and had been approved by the governor, enacting, that every person who shall become a member of any manufacturing corporation, which may hereafter be established within the state, shall be liable, in his individual capacity, for all debts contracted during the time of his continuing a member of such corporation.—[An excellent principle—extend it to banks, and society will be relieved from a daily growing affliction, says the "Aurora."]

¶ *Prefatory.* A person once complained to the great Buffon, that some certain thing in one of his works, had been too often referred to. "What is that?" demanded M. Buffon. The gentleman pointed it out. "Then," said the other, "you perfectly remember it." "Yes," returned he, "and I shall not easily forget it." "It was for that very purpose that I repeatedly referred to it," said M. Buffon.

Such has been my purpose in speaking of some things more than once in the following article, and even in the use of certain matters that I lately published more at length. Take one example: in 1817, the secretary of the treasury recommended the repeal of the internal taxes, because their produce could not be wanted, and suggested the passage of a law to authorize the purchase of stocks (whose period of redemption would not soon arrive), at rates above par, to dispose of the surplus funds of the treasury, &c. In 1818, it was just "touch and go" at the treasury, the loss of the product of these taxes was feelingly set forth, and we were told that a loan would be wanted next year. In 1819, a loan was asked for, to assist in paying off current expenses, the surplus of the sinking fund was used, and still there was a deficit at the treasury. The same prospect of things was presented in the report of 1820, and the said surplus again used, and another loan granted, &c. Now, I wish

that the reader may never forget these things, or suffer them to depart one moment from his mind, when he reflects on the state of his country.

I will only add, that there is no hostility in such repetitions to any of the gentlemen that they concern: my sole purpose is to shew the miserableness of the *system* by which our finances are governed, and point out the ridiculousness of calculations built upon it.

REVENUE—PUBLIC DEBT, SINKING FUND, &c. After indulging in some preliminary remarks, we shall proceed, according to promise, to an examination of the report of the committee of ways and means, of 31st December last, and inserted in page 297 of the present volume of the REGISTER, with a view to elucidate the facts that belong to the matters referred to, and render them comprehensible to all interested in ascertaining how the fiscal concerns of our government are managed. I have said that they are "wretchedly managed"—and, if my assertion has not been demonstrated, I do not know the meaning of words to express ideas, or the signification of figures to represent quantities: one statement has been placed in apposition to another of the same class, and result put a long-side of estimate, until I almost regretted the sorry picture they furnished, so much was truth laughing at opinion. Yet I fear—nay, verily believe, that sufficient light has not been afforded, by the documents presented, to ascertain the real condition of the national finances, whether they regard the general statements from the treasury, or matters specially confided to certain of the departments and subject to their several chiefs. We have heard much, and seen something, about transfers and re-transfers, that seemingly throws the doctrine of *specific appropriations* into utter contempt; but *necessity* will probably unfold some curious particulars in relation to these things before long, for calculation will not always meet disbursement and reality will one day come upon us. Our contrasts of the different prospects held out in the different messages of the president, reports of the secretary of the treasury and committee of ways and means of the house of representatives, exhibited in the REGISTER of the 22d of December last, and further exposed in some subsequent essays, must have convinced every *tax-payer* who read them, that there has been a great want of reflection as to the *future*, provided the *present* could be made to look fair. We shall not seek into the motives of this line of conduct, and are willing to impute it to the operation of that general feeling which predominates—"take no care for to-morrow;" "sufficient for the day is the evil thereof;" "meet not trouble half-way," &c.—but, as no disposition is manifested to profit by experience—as, notwithstanding the disgraceful condition in which we have been placed, it seems determined that our financial concerns shall still rest on the chapter of accidents—and that, what will "do for the present" is more appreciated than a permanent system that may be relied on, I again feel it a duty to call the attention of the people to this subject. Instead of looking at home—instead of depending on the people of the United States to support the government of the United States, the policy is to strain our eyes across the Atlantic, and give up the supply of our treasury to the *good dispositions*, the follies, crimes or misfortunes of foreign nations: Philip is *sick*, Philip is *starving*, Philip is *MURDERED*—any thing that injures "Philip," though he has no desire to injure us, is hailed as a blessing! and this is our *political religion*,

that we should render thanks for scores of thousands of Europeans slaughtered by battle—or on learning that the population of kingdoms was disappearing for the lack of food! Does this "become a moral and religious people"—does it comport with our character as an independent nation? The nation is cursed, and the individual a slave, whose proceedings are directly influenced by the acts of others; and it is impossible that a dignified legislation for the one, or an honorable course by the other, can be pursued. The condition is, in itself, hostile to every thing that is estimable in public or private life. See the pompous parades that we had about the state of our finances four years ago—behold us at the feet of money-lenders two years afterwards; and look at the beggarly state of the treasury now! We have acted like the English epicure, who gave a guinea for an ortolan, a bird that furnished him two or three mouthfuls of meat; and, two days after, drowned himself, because he had not money to purchase a roll of brown bread. Four years ago the revenue was so large, and *it would continue to be so large*, in the estimation of our financiers, that they were at their very wit's-ends to get rid of the money in possession and prospect: they were sorry, very sorry indeed, that the periods when the public creditors could be *compelled* to receive the cash were so far distant: they suggested that the stocks should be purchased at rates above par, and shewed us what great savings would be made by thus stopping the interest; and, besides, they spoke of the yet surplus millions that might be applied to internal improvements and other public works—the idea of commencing a fortress that would cost a million or two, was no sooner entertained than it was ordered to be done!—*two years*, two little years, after these wild notions had prevailed, we became borrowers of money to meet current expenses—we borrowed again, for like purposes, the next year; and *now*, God bless the people, they seem ready to throw up their hats for joy, because no part of the public debt is payable until the year 1825, and because it has been set forth that the receipts will meet the ordinary expenditures, without a new loan!—I do not magnify or misrepresent any thing—all that is stated is *recorded truth*, beyond the reach of the most accomplished sophist to explain away or confound. In reviewing these transactions, it requires no small degree of gravity to restrain laughter, or of discretion to keep down feeling, as differently influenced by considering the folly or want of fore-thought that caused them. It is truly painful to refer to the matters stated, for several individuals concerned in them have our private esteem, and may think it unfriendly,—but seeing that the same want of system, the same wildness of calculation, still prevails,—and honestly fearing *national dishonor* if things go on as at present, unless European princes, *in mercy to us*, will command their subjects to cut people's throats, or He that is over all shall refuse them "seed-time and harvest," I cannot hold myself guiltless in silence. Let the reader turn to the president's messages and the treasury reports of 1817, 1818, 1819, 1820, and 1821, and to the calculations of the committee of ways and means in 1820 and 1821, and determine whether I am right or wrong in this procedure. *I will be judged by the documents*, and trust the decision to any honest man, that is a payer, not a consumer, of taxes, who can read and write and "cypher to the rule of three." The principle that our revenue is built upon, is foreign or domestic misery, and as insatiate as the future, whose appointed office it was, in heaven

mythology, to feed on the liver of Prometheus, chained to a rock on Mount Caucasus.

The REGISTER is, perhaps, read by as many people as any other paper published in the United States; and, dull as the times are, its subscription is on the increase—it is sent to every state and territory in the union, and greater numbers are distributed in some of them than in Maryland, even including those delivered in Baltimore—it passes into the hands of many of the most distinguished statesmen and politicians, especially those who yet survive of the school of '76—it is forwarded to many members of different state legislatures during their sessions, and nearly one hundred copies are now transmitted weekly to Washington—yet our remarks on the treasury reports, &c. published on the 22d of December last, though they impeached the whole system of finance, if a system it deserves to be called, and exposed facts not altogether complimentary to the discretion of those concerned in the management of them, have not been assailed—notwithstanding said remarks were republished *in extenso*, or liberally noticed, in more than twenty of the most respectable newspapers in the union. The preceding recapitulation is not made out of vanity; but to exhibit a *right* in my readers to a correction of errors, if errors were committed, on a subject so important as seemingly to involve the very solvency of the government; as shewing a reduction from the highest apparent state of financial prosperity to one of real meanness, in a confessed inability that had existed to discharge honorable debts, really due at the treasury; and in a connexion of the treasury with money-lenders and shavers—a description of persons the most to be guarded against by a free nation or a free man. Was it because presses are wanting to print *any thing* that might be offered in justification?—No! Because persons were not ready to proscribe us,—*par contumace*, as the “royal Bourbon” has it, for the reason that we had dared to “grumble” at transactions which our conscience condemned?—No! Because what we said was unworthy of notice? We think not, seeing that we used the words and figures furnished by those high in authority! How then happened it that we were treated so coldly?—because we dealt in facts, put down in “black and white,” and had the advantage that good old *Job* desired to possess when he exclaimed, “*O that mine enemy had written a book!*” We are not, however, at enmity with any one among the great folks—nor disposed to proclaim the *infallibility* of either of them. The little experience that we have had among political aspirants, has convinced us that it is as easy to cry out “*off with his head,*” as to say “*my cousin of Buckingham.*” But some are grateful for services rendered; and when support is asked and given to get up or sustain honorable principles, honorable men may be concerned in soliciting or affording it.

The editor of a Georgia paper seems to think one of my correspondents must be a very bad citizen, because he found something like consolation, in the failure of the revenue, in the hope that its deficiency would lead to the adoption “of a well devised system to protect domestic industry and secure a home market,” &c. If to hope for the latter entitles one to be thought an enemy to the United States, I as well deserve to be called so as any man in the self-styled “*nation of New England*” was worthy of it at the period of the Hartford convention: for I solemnly believe and seriously declare, that the present mode of raising the revenue is more *onerous* on the nation and unjust to indi-

viduals, so far as its amount extends, than any tax levied in any other country in the world—even under the most despotic governments. It is built upon the success of *foreign* industry, and operates partially—not according to men’s means to pay, but according to their peculiar location and wants. The sum that is received into our treasury neither represents the population or property of the United States—it represents nothing but the amount of money that we are able to pay foreigners in exchange for their goods. To pay this money, to encourage the labor of foreigners, we become as hewers of wood and drawers of water for them; and any branch of labor, no matter how severe or degrading it may be, is eagerly entered upon, *if it will enable us to place funds in England*, wherein is the master-spirit that governs our private affairs and regulates our public revenue! These are the words of truth and soberness; and so must it be with every nation whose financial prosperity rests on the domestic consumption of foreign articles, unless at a season of great public excitement, when some certain part or portion of foreign labor is diverted from its usual application and supplied with the labor of the consuming nation. Thus, while during the late extensive wars of Europe, we could carry our flour, in our own ships, to the West Indies and there exchange it for coffee—then transport that coffee to Germany, &c. and sell it at a high price for cash,—that cash might be laid out in British goods without damage to the United States; because the amount of labor expended on the voyage and the profits made by our neutral character, were equal or superior in amount to the profits of the British manufacturer. This state of things continued so long, that the present generation may be said to have grown up under its practice—and hence our tenacity to the impost system, though we *see* and *know* that it acquired its magnitude by the wars of Europe, and has sunk nearly one half its expected amount by the cessation of those wars, notwithstanding the rapid increase of population in the United States, which ought to increase the amount of our revenue, if increase was wanted. Europe now is the carrier of her own commodities; and it is a matter of doubt among the best informed of our merchants, whether the *shipping interest* of this country makes any profit at the present. If it does not, the labor expended in it adds nothing to the national resources: but this interest is still of great importance on many accounts not needful to be mentioned, and entitled to the patronage of government.

The United States stand alone in drawing their national revenue from taxes levied on the domestic consumption of foreign productions. The political economy of England, in this respect, is like what I have heard said of religion at Rome, as exhibited in its ceremonies—it is *for exportation*, the same as a bale of cloth. Britain, on the average, derives less than one eighth of her revenue from *imposts*, and even a considerable part of this is levied on raw materials, which the skill of her artists and perfection of her machinery converts into a tax on the very growers of them! France, whose financial condition is the most truly prosperous of any nation, does not derive more than a 20th part of her receipts from the import of foreign articles. We cannot, at this moment, speak with reasonable certainty of other countries in this respect—but every government that we know of, except our own, relies on the industry and production of *its own people* for its own support; and common sense tells us that these only can be relied upon. Still we adhere to

a plan as uncertain of its product as the winds that waft its *material* into our ports; with a perfect knowledge, too, of its impotence to supply the national requisitions, though derived from so great a waste of the national strength and prosperity. To get one dollar into the treasury, we are content to send four dollars out of the country—for it must be observed, that no thing produced by us is received by the great trading nations of the world, but for the reason that they *cannot* produce such article for themselves. Instance, Britain as to flour, and France in her *monopoly* of tobacco—both excluding every article of our *manufacture*. The policy may answer for a nation of *masters and slaves*, but never will do for a nation of freemen. And, to cut this matter short, I am for a system of revenue that will act upon every man according to the amount of the protection which he receives in his person and property, and which shall support the free domestic labor of the United States. How the latter is accomplished I do not care, so that it is done: the *free agriculturalists* are more deeply interested in bringing it about than any other class of persons among us—and they will bring it about. The cup of their sufferings is nearly full—it will overflow, and then there will be a re-action. The *FREE LABORERS* of the United States have the *first claim* to the care of government, for they are the wealth and strength of the nation, and sustain it, like Atlas, in peace and in war; without them, the rest of the inhabitants would be nothing, could not be any thing, but masters and slaves. Freedom would “shriek” at their fall, and retire to the mountains, with all the virtues in her train. They are also the most numerous, and have only to *demand* a recognition of their right to a common protection. The legislation of the United States is opposed to the prosperity of these—for, though the most numerous, they have had less unity of action—and are easily *persuaded* by others, who act like the ancient Macedonian phalanx. “*The firm union of the south,*” was a toast lately drank on a distinguished occasion, in one of the southern cities—had I been present, I should have turned my glass upside down as surely as I would do if the “*nation of New England*” was meant to be seriously complimented. *The firm union of the states* is the only toast that I will drink, in which the word “union” is thus pointedly used. But there was much meaning in that objectionable toast. The whole domestic export of the United States, according to the last return, was valued at only \$43,674,894—the aggregate value of two articles, cotton and tobacco, was 25,806,446,* deduct also rice, the product of the same countries, and the amount of the value of all other articles will be only about 16,000,000. The free people, the tax-payers and musket-bearers, mainly interested in 63 per cent. of our exports or directly benefited by them, are not a twelfth, (perhaps much less), of such persons in the United States. No wonder, then, that these advocate the present system, which answers so well to benefit a few at the cost of the many. They do not feel the pressure—they are prosperous, and may safely say “let us alone;” for, besides this great value for foreign export, the *domestic* consumption of their *sugar*, (protected to the exclusion of the foreign article, if the home product could meet the demand), *cotton, tobacco, rice*, &c. is superior in value to all that they receive and use of the domestic products of the other states. These things are worthy of much consideration, and shew us what was meant by the toast, “*the firm union of the south!*”

* Cotton 20,157,484; tobacco 5,648,962.

Let me not be misunderstood—I am glad, sincerely glad, that the people of the southern states, (as I should be if those of *any* state were), are prosperous; I would not, knowingly, say any thing or do an act to lessen their prosperity for the benefit of any other part of the union: but the fact seems to me palpable, that nearly the whole legislation of the United States, so far as it regards our intercourse with foreign nations, in *any and every* respect, is directed to their advantage, and that of a few ship-owners in the east. The mass of the people that pay taxes on foreign goods, are not those who supply foreigners with the products of their own labor in exchange, and hence they are discouraged, depressed and wronged. Our country must be regarded as a *whole*, and the principles of the confederacy should be *continually* respected; and I am entirely satisfied that it is within the power of government, by a *just system of revenue*, to raise up the eleven-twelfths and make them prosperous, without injury to the remaining twelfth. We want a *national* legislation and policy; not confined to peculiar sections or interests, whether those sections or interests are great or small. But, if one man makes money by the manufacture of shoes, it is no reason why another should not prosper by making coats—nay, the prosperity of the one would more likely be a positive benefit to the other; and both should jog on together in harmony. The subject is of such primary importance, that it has led me strangely away, and yet the heads of it are no more than pointed out. I shall probably resume it, and support myself with some important tabular statements, drawn from official papers—all that I desire is the general welfare and real independence of the United States—that our affairs may be administered with economy and care, and *that the means to support the national dignity may rest on our own exertions*: then shall we be able to stand the brunt of war, by reason of prosperity and an enlightened legislation in peace—and this union remain for ages the boast of philosophy and pride of mankind. But without this—and if a policy prevails which is exclusively favorable to one section of our country and positively ruinous to others—we have no hope of arriving at that glorious condition which our advantages justify us in aspiring to.

After writing the preceding, I noticed an extract of a letter published from the Augusta (Georgia) Chronicle, dated at Washington, Jan. 1, 1822, and probably written by a member of congress, which advises the editor to “use the influence of his press to discountenance” a project that had been got up in Georgia, to obtain from the U. States an annexation of East Florida to the territory of that state, as the legislature of Alabama had petitioned in regard to West Florida. The writer proceeds to say—“*In the present struggle for sectional preponderance, it is highly important that we should avail ourselves of every opportunity to add to our southern influence, and the addition of two new senators, would be sensibly and beneficially felt. It is therefore our policy to contribute as much as possible to the erection of Florida into a state, and you must not suffer our good citizens to have their judgment blinded by the dazzling influence of territorial acquisition.*” Now, what is there in this different in spirit from one of the main points assumed at the time of the “Hartford convention,” and so much deprecatd by the good men of both parties then? I allude to a representation of the slave population—a subject that will not bear to be discussed any more than a representation of horses, except on the principles of the constitution, as regarding every sec-

tion of the United States—which, however, evidently intended that taxes should be paid for the representation allowed.

These preliminary remarks seemed necessary to shew *or* reason for the exhibit that we lately made of the treasury reports, and are now about to offer of the report of the committee of ways and means. I will not call either of these deceptive, as implying a design in their authors to delude the people and cheat them into acquiescence with a policy so baneful as that of depending on imposts—but that they have been and are delusive—that they are not bottomed upon a sound discretion or the evidence of facts, I think has been, or may be, easily demonstrated. When I first read the last report of the committee, which “calls up” the sinking fund from the “vast deep” by a breath, and pays off the national debt by a few strokes of the pen, I was irresistibly led to reflect on the character of capt. *Bobadil*, in the play, who kills an army of ten thousand men by mere calculation, and without effort. If we are mistaken in our views, we shall gladly afford room for a condemnation of our errors.

To proceed to the report—that it may be fairly before our readers we shall here re-insert it, after simply calling attention to the secretary of the treasury's report of Dec. 5, 1817 (vol XIII, page 241) to see how triumphantly the debts due in 1825 and 1826 were to have been paid, instead of this new project to borrow other monies to pay them—that is, to “rob Peter to pay Paul.”

In the house of representatives, on the 31st Dec. 1821, the committee of ways and means reported—

“That they have had under consideration that part of the annual report on the state of the finances, which recommends the exchange of a stock bearing an interest of five per cent. for the stocks bearing an interest of seven per cent. and those of six per cent. issued in the years 1812 and 1813.

“The object of the secretary of the treasury appears to the committee to be practicable and advantageous, not only to the government, but to the holders of the stock; they, therefore, submit a bill. It proposes to exchange a stock bearing an interest of five per cent. for the seven per cents due in 1825, and so much of the six per cents. due the same year, as will make a total of twelve millions of dollars; which will leave the sum of \$5,462,332, redeemable by the commissioners of the sinking fund during that year. And it also proposes a like exchange for fourteen millions of dollars of the six per cent. stock due in the year 1826; which will leave unredeemed of the stock due that year, the sum of \$8,357,368; but the proportion of the sinking fund, as applicable to the payment of the principal of the debt, during the year 1826, amounts only to the sum of \$5,707,000, which will leave, in that year, an unredeemed balance of \$ 2,650,000; which will be redeemed gradually by the operation of the sinking fund, as will be shewn by a document received from the secretary of the treasury, which the committee ask leave to submit as a part of their report; by which it will appear, that, if the proposed exchange of stocks shall take effect, and the amount of the sinking fund, be continued at ten millions of dollars, THE WHOLE DEBT OF THE UNITED STATES (the three per cents. excepted,) WILL BE EXTINGUISHED IN THE YEAR 1833, EXCEPT ONLY THE SUM OF \$1,952,000.

“The same document shews a calculation, bottomed on the idea that it may be deemed advantageous to reduce the amount of the sinking fund to eight millions of dollars; in which case the whole of the debt

(the three per cents. excepted,) will be paid off in the year 1836, except the sum of \$1,281,000. But as the committee have deemed it advisable to divide the amount of the exchanged stocks into four annual instalments instead of three, (which had been recommended in the annual report on the finances), it will, if adopted, prolong the final extinguishment of the present debt of the United States one year longer.

“The committee are induced to propose that change as well to lessen the pressure on the finances at the time, as to do comparative justice to the holders of the seven per cent. stock, by giving them a longer time for their reimbursement.

“All which is respectfully submitted.”

[Here follow certain tabular statements, not necessary to repeat in entire, as they may be seen by referring to page 298.

The first statement shews the descriptions of debt to be acted upon—viz: the 6 and 7 per cents. of 1812, and the six per cents of 1813, 1814 and 1815, including funded treasury notes—in all making an aggregate of \$ 62,786,137.

The operation of a sinking fund of 10 millions on the aforesaid sum of 63,787,137 dollars, is then shewn, —thus:

Amount applicable to payment of principal in 1825	5,350,000*
do 1826	5,707,000
do 1827	6,040,000

and so on, until the year 1833, when, these several payments being deducted from the principal assumed above, the whole is paid off except the small sum of 1,954,000!

There is a similar table to shew the operation of a sinking fund of 8 millions, which, in like manner, reduces the amount of debt unredeemed in 1837, to the sum of 1,281,000 dollars.]

When I had written thus far, I read the report again and again; it would not do—I rose up and walked across the room several times to gather up my powers of comprehension, recollecting that if I am not so prompt to understand as other men are, I ought to have more patience. I was still dissatisfied; I feared that my mind had received erroneous impressions of the facts meant to be conveyed, and so carried the report to a very intelligent friend, requesting him to read it, carefully, at least twice over—after which, I asked him if he understood the committee to mean as they say, that, by the operations suggested, “the whole debt of the United States (the three per cents. excepted) would be extinguished in the year 1833, except in the sum of \$1,952,000,” if the sinking fund was 10 millions; or in 1837, with a sinking fund of 8 millions, about which the same kind of language is used? My friend thought that the committee could not be supposed to assert any thing else. These things really happened as they are stated. But I am almost yet fearful to speak of the report, according to its own words, because these words appear to convey ideas so different from the true state of the matter. Reader, please to go over the report again, and determine if you understand the committee to say that, with a sinking fund of 10 millions, or 8 millions, as the case may be, they expect to extinguish the “whole debt of the United States,” in the manner put down by them.

*By the way, I very much doubt the arithmetical accuracy of this item, and request instruction how so large an amount as 5,350,000 dollars, even if the sinking fund is raised to 10 millions, can be applied to the redemption of principal in 1825. Let it be demonstrated.

The last report of the secretary of the treasury states the public debt, as estimated, on the 1st Jan. 1822, at	93,423,605
Deduct 3 per cent. stock	13,295,956
	80,127,649

From this take the amount to be re-
deemed by the tables

37,786,137

Still unpaid \$16,341,512

What has become of this sum, which includes the monies borrowed to pay current expenses, in 1820 and 1821? We are completely at fault—are we to imply that it is to be secretly paid by some mystical operation before 1825? The secretary does not offer even an estimate to pay off any part of the debt in 1822;* and says that in the years 1823 and 1824 “no part” of the sinking fund is “comprehended except what is necessary to discharge the interest of the public debt, and the reimbursement of the 6 per cent. deferred stock”—these are his own words, in the last annual report; and, of course, no appropriation,† on account of the public debt, is intended to be made before the year 1825, unless for the purposes just stated. The deferred stock spoken of amounts only to the sum of \$1,783,148—and this, if paid, will reduce the missing millions to a little less than fifteen; and so much, it appears, must remain unpaid after the “whole debt” is to be extinguished. Perhaps, the committee do not consider the 5 per cent. stock, vested in the United States bank, as debt—though it is so regarded at the treasury; if we deduct this, the missing millions will be no more than eight, only a small “handful of millions.” But I must quit this part of the subject, lest I expose myself to some charge of gross ignorance, or commit myself by some too ardent expression.

The matter that I meant chiefly to commit upon, was the simple mode in which the committee of ways and means resuscitate the sinking fund; and really, it appears as if they might as well have put it at twenty as at ten millions—seeing it is to advance and be made whole at their bidding! but such an advance will impose an addition to the public expenditures equal to nearly one third of their present amount—and, before a sum so large is thus appropriated, one would think that something should be said about getting the money. We shall say more of this when we have given a brief account of the sinking fund and the usage that it has met with.

I have referred to several acts of congress relating to this fund, but especially that of 3rd March, 1817. I have not seen these with the eye nor considered them with the mind of a lawyer, for I do not belong to that honorable profession, being only a mechanic—but these seem to be the plain and honest meanings of the provisions of the act referred to:

The 2nd section makes it the duty of the secretary of the treasury, annually to place the sum of ten millions at the disposal of the commissioners of the sinking fund—and the only discretion allowed is as to the times in the year at which the money may be drawn for.

*Except a little of the deferred stock.

†The word “appropriation,” when we speak of the sinking fund, is used to express monies estimated and actually voted or set apart for that fund; for the 10,000,000, hitherto given to the fund, was permanently pledged, not requiring the ceremony of a vote to appropriate it annually.

The 5th section settles the rates at which stocks shall be purchased, if there should be a surplus of the fund beyond the payment of interest and redemption of principal due in any year—the 3 per cents at 65, the 6 per cents at 100 and for those “bearing 7 per centum there shall not be paid an advance above the par value thereof which shall exceed for 100 dollars of stock the computed value of an annuity of one dollar for a number of years, equal to that during which the stock so purchased shall not be reimbursable at the pleasure of government, estimating, in such computation, the interest of money at 6 per cent. per ann.”

The 7th section provides that “if war shall occur with any foreign power,” congress shall not be prevented from “applying to any object of public service any surplus of the amount [ten millions] appropriated to the sinking fund, which shall be left in any year, after paying the interest and principal that may be actually due and payable by the United States, &c.

But a surplus of the sinking fund may be transferred to other objects of expenditure, after it has remained idle for the space of two years.

Now, what are the plain provisions of this law?

1. That ten millions shall be set aside every year for payments on account of the national debt.
2. That the surplus, if any, shall be used to purchase stocks at certain rates, though not payable, if to be obtained at those rates.
3. That, unless war occurs with a foreign power, a surplus of the fund, beyond the amount of interest and principal payable in any year, cannot be used for ordinary purposes, but on the expiration of two years after the year in which such surplus occurs.

That these are the conditions of the law might be proved by a hundred references. The first that offers itself is the report of the committee of ways and means of April 1820, in which they speak positively, as if ten millions must be appropriated; but, because a certain surplus could not be used in that year, they suggest that that surplus might be used for other purposes, “deprecating a recurrence” to the practice, &c. This case is sufficient—but, when the secretary of the treasury in his report of 1819, first darkly hinted at an invasion of this fund, he said it might be done, “if allowable” under the act.

What has happened?

1. Without a repeal of the act above mentioned, the surpluses of the sinking fund for the years 1820 and 1821 were used to satisfy the ordinary demands on government, and so will the surplus of 1822. Nay, neither in the last year nor for the present, has the secretary of the treasury treated the act with so much respect as to bring his theretofore permanent item of ten millions into his estimates. [Yet he talks of a sinking fund of ten millions!]
2. Though what was called the surplus of the fund in 1820 was thus diverted, the disgraceful fact existed, that a fragment of the Louisiana debt, due and payable in that very year, was not paid, and the secretary spoke about the “forbearance” of the public creditors!
3. That notwithstanding the alleged surplus of 1821 was used for current expenses, and the presumed surplus of 1822 will travel the same road, there was in the last year and is in the present, the sum of two millions of dollars of debt which it appears to me that the commissioners of the sinking fund were solemnly bound and are seriously called upon to redeem. This is the loan

of two millions, negotiated at the bank of the United States, in 1820, at six per cent. interest, and redeemable at the will of the government; about which see a note at the end. How they can get over the payment of this money is beyond my—*knowledge of the law.*

So much for the sinking fund—a little while ago, regarded as a political ark, that could not be touched—now cast down and trampled under foot, and denied even a decent interment! We have shewn it is *not true* that there is no part of the public debt on which its surplus can operate, though it has so been averred a thousand times by men that must have known better. There is, at least, the two millions above stated that should to be paid off, even if we borrowed two other millions to enable us to do it; and I think that the national faith (as pledged in the creation of a sinking fund), is violated, by a neglect or refusal to discharge that loan. Not violated to the lenders—no, no: they would like to lend much more money on the same terms—but violated so far as the *people* are concerned;—for this loan may be paid by a 5 per cent. loan, which would sell at a premium of 11* per cent. and this would at once put 220,000 dollars in the treasury and save us 20,000 dollars a year in interest. But this is not the day of “small things.” What’s two hundred and twenty thousand dollars in hand, and twenty thousand dollars a year, when compared with the favor of the bank of the United States? Nothing at all! With some, it will be a sort of *treason* to mention it! That soul-less body, created by ourselves, has a right to be our master. Well—be it so; yet I will not bow my knee to this institution dedicated to the god *Mercury*, got up mainly by persons now pretty much esteemed as —, and managed by them to the great damage of those who honestly vested their money in it.

Now we come to the very cream of the report—the redemption of the debt, which the sinking fund is to effect. This reminds us of old mother Goose’s direction how to cook a salmon, which begins thus—“*First catch a salmon—then,*” &c. and the committee should have told us how they meant to make the sinking fund, rather than how they would apply it, when made. It is a “mighty” easy thing, (as they say in Maryland), to pay debts, if one has the money—but the mischief is to get the money, and truly, in the present case, when the manner how to use money appears to have been the only thing that was at all considered, I wonder that they did not calculate a sinking fund of fifty millions and so end the debt, by *calculation*, at once. Some, perhaps, will think that the venerable chairman and respectable members of this most important committee are treated with too much levity—but, when I examine their different reports and those of the secretary of the treasury, one with the other of their own classes—I must smile or do worse, be gay or severe. The sinking fund is dead, except as to the payment of interest and some small reimbursements of principal, and I cannot see how it is that gentlemen speak of it as ex-

* We see that the five per cents, redeemable in 1835, are quoted at 113 dollars, 20 cents, in a Philadelphia paper “above the par value of 6 per cent. stock.” [If 6 be 13.20, 5 is 11.03.] This is conclusive evidence that the money-lenders laugh at the report of the committee of ways and means, about extinguishing the whole debt in 1833. Indeed, this stock is not redeemable until two years after the whole debt is to be paid!

isting in full health and vigor, or how they can hope to restore it without preparing the *means* to bring it forth. Previous to an appropriation, the money for it must be provided—else there was *reason* in the madman who climbed to the top of the Catskill mountains, and called out, “Attention the universe—kingdoms by the right wheel, march!” The revenue will no more increase on the report of a committee of ways and means, than the universe attend or kingdoms obey, the order of a madman on the mountains of Catskill.

But—to be right *serious*, and speak of this calculated redemption of the public debt, as resting upon the present and probable revenue of the United States, to be derived from *imposts*, (with *Europe at peace*, or not involved in a very extensive war, which shall affect the maritime nations), is, I think, about as reasonably to be expected as that one might “scale the moon with a lamp-lighter’s ladder,” and from thence batter down the walls of the city of Paphos, which may be in the planet Venus, with a goose-quill pop-gun, charged with potatoes. That is, I seriously believe, that the advancement of such a calculation at a time like this, without saying one word about the *means* to give effect to it—deserves, to be laughed at, if *not more*.

NOTE—THE TWO MILLION LOAN OF 1820.

If this article had not extended to so great a length, I would furnish a documentary history of the things which belong to this loan, and venture to say that it would *amuse* many as well as excite *censure* in some: but the following brief notice of the proceedings that have a bearing upon it, must suffice.—

In 1817, the secretary of the treasury felt able to pay off the public debt—“like nothing;” and because he had so much money in possession and prospect, he recommended a repeal of the internal taxes, presuming that taxes would not be imposed on the people for the simple purpose of purchasing the public debt at rates above par! *And the people huzzaed!*—myself, perhaps, among the number of the silly ones.

In his report of 1818 he seemed to lament the loss of the money which these taxes had produced, and right plainly told us that we should have to borrow money to meet the expenditures of 1820. He thought a loan was preferable to the imposition of new taxes, *which would not be wanted after that year!* “What a fall was there, my countrymen!”

On the 10th Dec. 1819, he first suggested an invasion of the sinking fund, “if allowable” under the act, and demanded a loan. On the 20th of April, following, the committee of ways and means made a *great* report, shewing that the deficit of 1820 would be only 1,453,001 dollars*—but, to put the treasury quite at ease, they proposed to borrow two millions; they did not want any more, they would not have any more,—and there was much debating about it. Some thought that *five* millions would be wanted;—but at last, on the importunity of a majority of the committee, the house agreed to borrow only *three* millions, and for this an act was passed and the money was borrowed—yet at the end of this said year 1820, and notwithstanding the surplus of the sinking fund had been used, there was a deficit of \$2,638,169, and the Louisiana stock, payable in that year, amounting to 2,216,402 dollars, had not been blotted from the books!

But, in granting this loan of three millions, congress, seeing that the finances would soon be in a

* How exact—even to one dollar.

flourishing condition again!—vested a discretion in the act to borrow money at 6 per cent. interest, provided the loan was made “redeemable at the will of the government,” or at 5 per cent. and not redeemable until after the year 1832. On this, the secretary of the treasury, with the same prospects a head, and loath to inumber the United States with a loan that the government could not *compel* a reimbursement of, gave notice that he would borrow (only) two millions;* but for this he would pay *six per cent.* because it must be redeemable at will—that it might be paid a month afterwards, if found expedient to do so! Well, very few persons wished to invest money under such hazardous circumstances, and so *it fell out* that the bank of the United States got the whole loan at *two per cent. premium*, at the very time when 6 per cent. loans were made to the city of Philadelphia, and the 6 per cent. stocks of the U. States, were at from 6 to 6½ per cent. premium! A neat little speculation—being 80,000 dollars less in its product than it must have amounted to, but for the impression sent out that it would be redeemed immediately! The fact of taking the loan, at the rate above stated, was published in the “National Intelligencer” of the 23d of June, 1820, and the editors most gravely told us that “the premium of this loan would, doubtless, have been much greater, but for the uncertainty as to the term of its duration, it being redeemable at the will of the government”—still sticking to and upholding the notion that it would be speedily redeemed. For the act of congress, the proposals of the secretary of the treasury, the paragraph from the “National Intelligencer,” the price of stocks at the time, and a fuller view of the transaction, refer to the 18th volume of this work, page 314, where all these matters were put in “goodly row,” with an entire expectation that things would turn out exactly as they have done.

Well—but this said loan of two millions, at 6 per cent. interest, is “redeemable at the will of the government”—why, then, is it not redeemed? The commissioners of the sinking fund have a right to demand the money for it—it is directly within the requisitions and power of the law under which they act: and, in the name of all that is honest, why should we pay to that “sinful institution, the bank of the United States,”† six per cent. for money, when so many persons would gladly lend it at five, and give a handsome premium? I ask—and I hope that some one more powerful than I am to *do*, will also ask—is there any secret contract between the parties, unknown to the law? I must say that the thing does not “look well;” there is an ugly suspicion hanging over it.‡

*The other million was afterwards borrowed at 5 per cent.

†We the people have already lost about 450,000 dollars—*money actually taken from our pockets*, by this institution. Its stock is said to be above par,—enough, perhaps, to indemnify that loss, and we hope that our share in it may be sold off immediately. Let us get out of this “bond of iniquity,” and have nothing further to do with it. The fathers of this institution are candidates for the fame of *Erostratus*, if the people ever return to the original principles of our system of government.

‡By the bye, talking about the bank of the United States, leads me to ask for another thing that I should like much to see—the plain and particular account between the United States and the bank of the United States for a year or two, put down like such transactions are in my own small bank-book,

So much for the two million loan. “What’s all this about?” said my uncle Toby. “It’s a cock and bull story,” returned my father, and about as *queer* a one as ever was told about such a thing, say I. The *right* of it is nearly as incomprehensible as *Plato’s* dialogues on the immortality of the soul, which, if I recollect correctly, begin thus—“A thing is—and is not; it cannot be, yet must be,” &c. But the misery is, we *know* the loan is, and that we must pay it. There is no logic necessary to tell us that—though we may wonder *how* it remains on the list of our debts, in the manner that it does.

Foreign Articles.

GREAT BRITAIN AND IRELAND.

[*London papers of the 4th January.*]

Intelligent farmers in Norfolk, in England, state, that there is not a patch of land in the county that, in the present state of affairs, can afford a shilling for rent. [So great is the amount of poor rates, taxes and tythes.]

The Scotch manufacturers are very busy, and are largely interested in the American trade—with which they appear to be much pleased.

Another *whole family* has been murdered in Ireland.

The competition between the proprietors of stages running between London and Exeter is so great, that people are not only carried gratis, but treated to breakfast, punch at 12 o’clock, and dinner and wine in the afternoon, if they will honor one of the lines with their patronage!

British navy. In one of our late London papers (says the New-York Evening Post) it is stated, that there are now building and ordered to be built, at his majesty’s dock yards, 96 ships of war, viz: 18 of the line, 35 heavy frigates, 13 light frigates, 14 sloops and brigs, 7 bombs, 5 gun brigs, and 4 cutters. Four of the number are to be of the class of 120 gun ships, one of which is to be called *King George the Fourth*. One of the frigates (60 guns) is named the *President*, probably in honor of the old U. S. President, commodore Decatur. *Quere.* What does all this mean?

FRANCE.

The budget for 1822 shews that the finances of France are still in a most prosperous condition. How great are the resources of this country, from the encouragement afforded to national industry! The taxes are easily paid—money is plenty, the public debt is diminishing, though public works are not neglected. But the funds have lately declined from political causes.

SPAIN.

The general prospect of things in this kingdom is of a more tranquil character than the accounts heretofore received could have led us to hope for. The king received the address of the cortes on the 21st of December, requesting a change of ministry. It recites the disorders which prevail in Spain—urges that the state of the nation requires a vigorous ministry, capable of inspiring love and confidence—and concludes with expressing a confident hope, that his majesty will adopt the measures which the situation of the kingdom so imperiously demands. The king made the following laconic

that I may understand them. [Just as this article was making-up to put it to press, we received a curious pamphlet from Philadelphia, relating to the last loan, in which it is stated that we *owed* the bank, at one time, the sum of \$3,700,000. We shall notice this publication more at large hereafter.]

answer:—"I receive your message: it is very important: I shall take it into consideration." It is thought that he will submit the message to his council of state.

ITALY.

It is reported that the Austrian army in Naples is to be reduced to 25,000. The troops at the capital were lately reviewed by the king! The bishop of Aversa was shot dead, in broad day-light, by a young man said to have been of the Carbonari.

GERMANY.

S. Rothschild, the great Jew banker, has been baptized at Vienna—prince d'Esther^{sky} stood god-father for him.

From Vienna, it is stated that all foreigners employed in the Austrian states, as *preceptors or teachers*, have, without distinction, received orders to quit the country. It is added, that the education of youth, whether public or private, is to be exclusively confided to the Jesuits, or to the Redemptonists, who are an affiliation of that order!

PRUSSIA.

The Prussian government having ascertained the unhappy certainty that there is a deficiency of ten millions in its budget, which can only be covered by a loan, negotiations have already been entered into with several foreign banking houses.

DENMARK.

Letters from the north of Europe speak of a communication made by a great northern power to the courts of Copenhagen and Stockholm, having for its object to form a maritime confederation of the three powers.

RUSSIA.

The report is repeated that the Russian army has passed the Pruth. We have not yet any thing certain—but no doubt is entertained of the design of Alexander to possess himself of Turkey. In the event of an attack, one of the most extensive massacres ever read of may be expected—the Turks will destroy *all* the Christians in their power, and the Christians will retaliate on the Turks.

TURKEY.

That all Candia, except a few fortresses, is possessed by the Greeks, is confirmed. The pacha of Salonica has been beaten for the *fifth* time, near the town of Cassandria. It was a most furious battle, fought on the 26th Sept. The pacha, after losing 7,000 men, was glad to make his escape at the head of 200. The Greeks did not make any prisoners—they only let one Turk go to tell the news of the destruction of his fellows!

The Persians were advancing victorious. The disasters of the Turks has caused them, according to custom, to vent their rage on the unprotected and unoffending—hence extensive slaughters of the Greeks and others at Constantinople, &c.

There are additional reports of an insurrection in the capital—that great disorders have taken place seems undoubted; but whether to the extent of beheading the sultan and a general massacre, is not certain—though these things are probable.

It is now stated as an unqualified fact, that, notwithstanding the most strenuous efforts of the British and Austrian ministers at Constantinople, the Porte has indignantly rejected the Russian ultimatum. He would not consent to the occupation of Moldavia and Wallachia by Russian troops, and positively rejected the proposition for a restoration of the Greek churches, &c. When the Austrian minister asked the Reis Effendi whether the Porte had determined on peace or war—he excused himself from answering the question, as he was not invested with such powers; besides, added he, "the

Sultan will do whatever he pleases, and ninety millions of Musselmen, with the sword in one hand and the Koran in the other, will know how to defend their rights against the Christians."

It is reported that the foreign ministers, alarmed for their personal safety, stood prepared to leave Constantinople with the least possible delay.

The late naval battle, fought in the Ionian seas, in which the Greeks gained a great victory and the shattered remains of the Turkish fleet were protected at Zante, by the British, lasted ten hours, and was very destructive.

There was a great slaughter at Smyrna on the 20th and 21st of Nov. The Turks murdered some Austrians, Italians, &c. and then fell on the Greeks, several hundreds of whom were butchered, unre-sisting and in cold blood. To gather their victims the more easily, they equipped a ship as a Greek vessel that would carry off passengers—about 300 Greeks went on board and paid their passage-money, and then were deliberately put to death.

We are indebted to the "Federal Republican" for the following extract from a firman of the Ottoman Porte, translated from a German paper. It shews the feeling that prevails as to Russia—"I now see, Musselmen, to whom we are indebted for our uneasiness, and for the rebellion of our peaceable rajas. It was the treacherous Russian who excited the Greeks and placed arms in their hands; were it not for his treachery, his dissimulation, and his money, our rajas would still enjoy our sovereign protection, and would not have been induced to abandon their duty in so culpable a manner. Therefore, Musselmen, I recommend my rajas to your mercy, inasmuch as they would not have done wrong had it not been for treachery and deceit. Meet them with forbearance and mercy; treat them not as enemies, for my vengeance shall light only on the guilty. As the Russians, *this infidel nation*, attack us in the dark, as they require of us the independence of the rajas, which the dignity of our empire forbids, I therefore command you, faithful and intrepid Musselmen, to be on your guard, both by day and by night, so that our treacherous enemy may not surprise us. I assert, fearlessly, that the independence of the rajas, and all similar requests, are so inconsistent with the Ottoman power, and the dignity of the sublime Porte, that we shall never consent, if even a war, long and bloody, shall be the consequence."

IONIAN ISLANDS.

Military law being proclaimed in these islands, as noticed in our last, the British *protectors* have proceeded to put to death a great number of peasants, who did not know even for what they were molested, and to exhibit their dead bodies in iron cages on the summit of the hills. The people of Zante were invited to a church, when fifty-four of them were seized as hostages. Troops were pouring into the island, and vessels of war, ready to attack the town were in the port; but the people, made mad with oppression, seemed determined on resistance. They have our best wishes, that they may drive their *protectors* into the sea.

COLOMBIA.

A letter from St. Fe de Bogota says "Dr. Bol-man, agent for the *Barings*, of London, has rented from the government of Colombia, the salt works at *Signipaguira*, for twenty years, for the sum of two millions of dollars, to be paid in advance, and is now treating to take the *national debt*, amounting to about three and a half millions of dollars, at 7 per cent. interest. This is very favorable for the country."

Panama declared itself independent on the 15th of Dec. and had sent deputies to the government of Colombia to announce the event, &c.

CHILI AND PERU, &c.

Callao was surrendered to gen. San Martin on the 29th Sept. 1821. A royal general, Ramirez, has still the command of some troops in Upper Peru; but all opposition to the independence of the country was soon expected to be at an end. 40,000 stand of arms and great quantities of ammunition, &c. fell into the hands of the patriots by the surrender of Callao, Peru, except as above stated. appears to be entirely tranquil.

Capt. Ridgely of the U. S. frigate *Constellation*, has addressed a letter to Mr. Forbes, U. S. agent at Buenos Ayres, stating the danger that attends vessels of any nation in approaching the island of St. Mary's on the coast of Arauco, infested by pirates, who have made a number of captures. The chief of these is an officer in the service of Spain, named Benevides. He adds, that the convicts in the island of Juan Fernandez, had risen upon those who had them in charge and overpowered them. To make their escape, they had resolved to seize the first ship that they could, and so nearly succeeded in getting possession of an American whaler, that the captain was compelled to leave his chief mate and ten men behind. Captain Ridgely was about to proceed to the island to obtain a release of those persons.

Previous to the surrender of Callao, on the advance of gen. Canterac for its relief, (though he was totally defeated), some alarm prevailed at Lima, and funds, to the amount of 5 or 600,000 dollars, were shipped, to be taken off if the Spaniards should regain that city. It is stated that lord Cochrane had seized all the money to pay off his crews! We observe in the English papers, that he has lately made some heavy remittances home; but his flag ship, the *O'Higgins*, is reported to have sunk, with a vast quantity of treasure on board.

Seventeenth Congress—first session.

IN THE SENATE.

February 8. A return of the manufactures made to the department of state by the marshals, was received by the senate.

The bill to amend the charter of the bank of the U. States, was taken up (14 to 12.) This bill is to authorize the appointment of persons to sign and countersign the notes of the bank, and make it penal in the officers or servants of the bank, to embezzle the funds or profits thereof.

The bill being read, Mr. Findlay addressed the senate in opposition to the bill, because it did not contain the other modifications requested by the bank; though if the incorporation of the bank was now pending, he should vote against it. [These modifications are in relation to that part of the charter which makes the notes of the bank and its offices receivable in all payments to the U. States, and the provision which precludes the re-election of directors who have served three years—both which the bank wishes may be abolished.]

On the suggestion of Mr. Holmes, the further consideration of the subject was postponed.

The senate resumed the consideration of the bill to confirm the title of the marquis de Maison Rouge, to a tract of land claimed under a Spanish grant.

Messrs. *Holmes* and *Brown*, of Ohio, spoke in opposition to the claim, and Mr. *Southard* in support

of it—after which, the further consideration of the bill was postponed to Monday, to which day, also, the senate adjourned.

February 11. The bill about a connexion of the waters of the Illinois river with those of lake Michigan, was reported with amendments.

Mr. *Smith*, from the committee on the judiciary, to which had been referred the bill from the other house to fix the ratio of representation under the fourth census, reported the same with an amendment (to strike out 40,000 and insert 42,000 as the ratio.)

The bill to confirm the title of the marquis de Maison Rouge was taken up—Mr. *Otis* spoke in favor of the claim and Mr. *Barbour* against it—and the senate adjourned.

February 12. The senate was chiefly occupied this day in considering the bill to confirm the title of the marquis de Maison Rouge to a tract of land in Louisiana, Mr. *Brown*, of Lou. advocated, and Mr. *Van Buren* opposed the claim.

February 13. Mr. *Barton* submitted a resolution that had for its object an inquiry in the particulars of the disbursement of the 15,000 dollars a year, that is set apart to promote the civilization of the friendly Indians. [Adopted next day.]

Mr. R. M. *Johnson*, of Kentucky, agreeably tonically given, and having obtained leave, introduced the following bill, which was read and passed to the second reading.

Be it enacted, by the senate and house of representatives of the United States of America, in congress assembled, That the district courts of the United States shall have exclusive cognizance of all civil causes of admiralty and maritime jurisdiction, relating to the navigation of the high seas, and ports, and havens, and creeks, within the ebb and flow of the tide, and of all torts and injuries done or committed upon the high seas, and upon creeks, ports, and havens, within the ebb and flow of the tide; and of all offences committed upon the high seas without the jurisdiction of any state, except offences which, by law, are exclusively cognizable in the circuit courts of the United States; provided, that the admiralty and maritime jurisdiction aforesaid, shall not be so construed as to extend to any case arising from the trade or commerce carried on within the interior of any state or territory of the United States upon navigable waters, where such trade or commerce stops short of, or is limited to the ebb and flow of the tide.

[The object of the bill was to define admiralty and maritime jurisdiction, and Mr. *Johnson* supported the bill by sundry references to what is deemed authority on the subject.]

The claim of the marquis de Maison Rouge to thirty square leagues of land in Louisiana, was again considered. Mr. *Smith*, of S. C. spoke two hours and an half against the claim. Mr. *Talbot* moved that the bill be recommitted with instructions to prepare and report a bill providing for the adjudication of this and all similar claims to land within the late province of Louisiana, derived from the powers formerly claiming the sovereignty of the said province, previous to the cession thereof to the United States, by the regular judicial tribunals of the United States, reserving to either party the right of appeal to the supreme court, agreeably to the provisions of the existing laws regulating appeals.

The senate adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, Feb. 7. The speaker presented a letter from Dr. James Smith, vaccine agent, which, on motion of Mr. *Little*, was referred to the select committee appointed on that subject, and ordered to be printed.

Baltimore, 4th February, 1822.

The honorable the speaker of the house of representatives.

Sir: From letters which I have received from Dr. Hunter, of Tarboro' N. C. I am fully persuaded I have discovered the true cause of the deplorable

events which have happened there—and I am now satisfied that they have originated from an accident such as never occurred before, and there is no danger that the like will ever occur again.

I had a paper which contained some small pox scabs, taken by myself from a person named Whitfield, about 4th Oct. 1821—and on this paper I had written carefully, to avoid accidents, that it contained the variolous or small pox matter. But this paper was afterwards mislaid, and, after searching for it in vain, I had concluded it was lost, and supposed it might have been swept out of my office with other waste papers.

From the information, however, which I have received from Dr. Hunter, recollecting the words I had written on it, I have no doubt but that the same identical paper was lost, containing the small pox scabs, and marked as such, was put up in Dr. Ward's letter by mistake or inadvertence, instead of the glasses of vaccine matter which I intended to send to him, and which, from his letter to me, I supposed he had received and used.

We may now, therefore, safely conclude, that the injury done is of more limited extent than I feared; and every citizen of North Carolina has it in his power to be secured from it, if they will use the vaccine matter I have sent to them.

Dr. Hunter assures me that the vaccine matter obtained by him from this institution, and which he was using "in a general and extensive vaccination," when he wrote me, 19th ultimo, was such as he knew to be genuine.

I hope you will be so good as to make the contents of this letter known in the house of representatives; and I will be happy to furnish you or any committee of congress, who may be appointed to make inquiry on this subject, with every fact relating to it which has or may hereafter come to my knowledge.

I have the honor to be, with great respect, your most obedient servant,

JAMES SMITH.

Friday, Feb. 8. Mr. *McLane* reported a bill to incorporate the United States Naval Fraternal Association.

After other minor matters were attended to—the house, in committee of the whole, proceeded to consider the bankrupt bill. Mr. *Montgomery*, in a speech of nearly two hours, advocated the passage of this bill; and Mr. *Blair* opposed it. Mr. *Hemphill* rose to address the committee, but the usual hour of adjournment having arrived, the committee rose, and the house adjourned to Monday.

Monday, Feb. 11. Several reports being received, &c.

Mr. *Farrally* submitted the following resolution:

Resolved, That the committee on the post office and post roads be instructed to inquire into the practicability of facilitating the means of discovering thefts and destruction, or opening and mutilating letters, committed by the deputy postmasters, their agents and mail carriers; and also into the propriety of enacting severer and other penalties against those who may be convicted of such offences.

Mr. *Farrally* spoke at some length on the subject, and mentioned sundry cases of theft, &c. and the resolution was agreed to.

On motion of Mr. *Trimble*, the house agreed to consider the joint resolution by him submitted some days since, relative to the recognition of the independent governments of South America, for the purpose of having the same referred to a committee of the whole on the state of the union: and it was referred accordingly.

The speaker presented a communication from the president of the United States, transmitting a report from the secretary of war, relative to our in-

tercourse with the Indian tribes, and the measures heretofore pursued for their civilization; which, on motion, was referred to the committee on Indian affairs, and ordered to be printed.

The speaker also presented a communication from the war department on the subject of the expenditures by the Indian agents for Michigan, according to a call from this house; which, on motion of Mr. *Little*, was referred to the committee of the whole house on the partial appropriation bill, and ordered to be printed.

The engrossed resolution, directing a digest to be made and printed of the returns of the census of manufactures, was read a third time, passed, and sent to the senate for concurrence.

The bill from the senate authorizing the transfer of certain certificates of the funded debt of the United States, was read the third time and passed.

The bankrupt bill was then further discussed—Messrs. *Hemphill* and *Colden* spoke in favor of it—and Mr. *Mitchell*, of S. C. manifesting a desire to speak to the question, and the usual hour of adjournment having arrived, the committee rose and the house adjourned.

Tuesday, Feb. 12. Many reports on private claims and about matters of minor importance were received. Mr. *Eustis* reported the bill amended for the reconveyance of a tract of land (the battery) to the city of New York; and the bill was ordered to be engrossed for a third reading.

Mr. *Russell*, from the committee on foreign affairs, to whom was referred the message from the president, transmitting a report from the secretary of state, on the case of captain *Shane*, of the *Ajax*, made a report, detailing the circumstances of his suffering from personal violence, in the port of Havana, and concluding with the recommendation, that congress take no further order thereon; which report was agreed to.

[The ground of the recommendation was, that capt. *Shane* had not sought redress of the authorities at Havana, where the personal outrage upon him was committed.]

Mr. *Cocke*, after some preparatory remarks, which had for their object to shew what he thought were abuses in the naval establishment, in the full pay of officers without sufficient employment or any employment at all, offered the following resolution:

Resolved, That the committee on naval affairs be instructed to inquire, and report, how many naval stations are occupied by the United States; the number and grade of the officers at each; what each officer has received as pay and subsistence, and what for enlistments or extra compensation for supposed services; how many have received their full monthly pay who were not in actual service at the time, and by what authority they were so paid; and also that they inquire into the expediency of re-organizing the naval establishment of the United States.

Mr. *McLane*, chairman of the committee on naval affairs, did not object to the inquiry, but to the mode of it; he thought it evaded the rules of the house, as to calling for information, &c. He moved to amend the resolution, leaving part of it for a separate inquiry, directed to the head of the naval department, so as to read as follows:

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of re-organizing the naval establishment of the United States.

The amendment was opposed by Mr. *Cocke*, as proposing an unnecessary division of his motion into two distinct resolves, and supported by Mr. *McLane* in reply—and was agreed to by the house.

Thus modified, the resolution was adopted without opposition.

Mr. *McDuffie* laid on the table the following resolution:

Resolved, That the secretary of the treasury be directed to lay before this house a statement of the balances of money in the treasury, and of the amounts of the appropriations unexpended, at the end of each year, from the commencement of the government to the 31st December last. Also a statement of the amounts of the public monies which had been received by the collectors and receivers, and not paid into the treasury on the 30th September and on the 31st December last respectively. Also, a statement of the amounts of revenue bonds outstanding on the 30th September last, shewing separately the amounts of those that were considered solvent and of those that are considered insolvent; and a statement of the debentures out-standing at the same period. Also, a statement of the amounts of out-standing revenue bonds due on the 30th September, and the 31st December last respectively, showing at each period the amount that was in suit, the amount upon which indulgence had been given, and the extent of that indulgence; and a statement of the sums due for public lands on the 30th September 1820, and on the 30th of September last, respectively, deducting from each of those sums the amounts from which the purchasers of public lands may have been released under the act of the last congress passed for their relief. Also a statement of duties secured in each quarter of the past year.

Mr. Floyd offered a resolution which had for its object an inquiry into the factory-system of the United States among the Indian tribes.

Mr. Sterling offered a resolution to institute an inquiry into the case of Theron Rudd, formerly clerk in the U. S. district court in the state of New York, and ascertain what steps had been taken to recover of him certain monies deposited in his hands, as an officer of the U. S. [The amount appears to be about 130,000 dollars.]

The speaker presented a communication from the war department, transmitting a statement shewing the appropriations for the year 1821; the amount unexpended for each specific object, and the balance remaining unexpended on the 31st of December, 1821; which, on motion of Mr. Smith of Md, was referred to the committee of ways and means, and ordered to be printed.

The house went into a committee of the whole on the bankrupt bill, Messrs Mitchell and Phillips, of Pa, supported the striking out of the first section. Mr. Archer observed that he had some observations to make on the subject, and the committee rose and the house adjourned.

Wednesday, Feb. 13. The resolution yesterday submitted by Mr. McDuffie, calling for information from the treasury department, was taken up, and, after debate, modified and agreed to.

Mr. Cocke submitted the following resolution:

Resolved, That the president of the United States be requested to cause to be communicated to this house the number and location of the naval stations now occupied by the U. States, the number and grade of the officers at each, and how employed; what each receives per month as pay and subsistence, and what for emoluments or extra compensation; whether any have received their full monthly pay, who were not in actual service during the period for which they were paid; how many are on furlough; whether any naval officer is employed in the merchant service; if so, whether he receives any pay from the government.

The speaker presented a communication from the navy department, transmitting the appropriations and applications of public money for the navy department for the year 1821; which was referred to the committee of ways and means, and ordered to be printed.

An engrossed bill, entitled "an act to authorize the conveyance of a tract of land to the city of New York," was read a third time as amended, passed, and sent to the senate for concurrence.

The house then resolved itself into a committee of the whole on the bankrupt bill--Mr. Archer commenced his speech in favor of striking out the first section, and having proceeded therein until the usual hour of adjournment, the committee rose and the house adjourned.

THURSDAY'S PROCEEDINGS--FEB. 14.

In senate. The bill from the other house, making partial appropriations for the naval service, was read a third time, and, by general consent, passed.

The bill respecting the claim of the marquis de Maison Rouge, was further considered--After much debate, it was referred, according to the proposition offered yesterday by Mr. Talbot, and so amended, on the motion of Mr. Van Dyke, as to refer this claim alone to the decision of the courts--ayes 26.

Mr. Macon observed that, as this was the first time in which this principle was adopted by congress, he requested the ayes and noes on the question.

The question was then taken on the proposition to refer the claim to the judiciary, and decided by yeas and nays, as follows:

YEAS--Messrs. Septon, Brown, of Lou. D'Wolf, Eaton, Edwards, Elliott, Findlay, Willard, Holmes, of Miss Johnson, Ken-Johnson, Lou. King, Alab. N. Y. Knight, Lloyd, Lowrie, Mills, Otis, Palmer, Parrott, Seymour, Seaward, Stokes, Talbot, Taylor, Thomas, Van Dyke, Williams, of Miss Williams, of Tenn.--29.

NAYS--Messrs. Barbour, Barton, Boardman, Brown, of Ohio, Chandler, Dickerson, Holmes, of Maine, Maco, Morrill, Noble, Pleasant, Rodney, Ruggles, Smith, Van Buren, Wakelee.--16.

The senate then went into consideration of executive business; after which, they adjourned.

House of representatives--The resolution submitted yesterday by Mr. Cocke was adopted.

On motion of Mr. McLane, it was

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of providing measures to prevent the destruction of the timber of the United States in Florida.

Mr. Floyd remarked, that in consequence of unofficial reports of the promulgation of an imperial ukase of the Autocrat of all the Russias, in relation to the western limits of the U. S. he begged leave to lay on the table the following resolution:

Resolved, That the president of the United States be requested to communicate to this house, whether any foreign government have made claims to any part of the territory of the United States upon the coast of the Pacific ocean north of the 42d degree of latitude, and to what extent; whether any regulations have been made by foreign powers affecting the trade on that coast, and how far it affects the interests of this republic, and whether any communications have been made to this government, by foreign powers, touching the contemplated occupation of Columbia river.

After other business, not necessary to notice just now, the house, in committee of the whole, again took up the bankrupt bill--Mr. Archer spoke two hours, and finished the argument he commenced yesterday--Mr. Barbour (the speaker, intimated a wish to present some general views on the subject, the committee rose, and the house adjourned.

CHRONICLE.

Gen. Izard. It is not true that this gentleman has been appointed governor of Florida.

Indian war. We have some additional particulars as to the war which is raging between the Cherokees and the Osages. The former appear to have been the victors on several occasions--they have killed many of their enemies in the field, captured a considerable quantity of furs, and made a number of prisoners, whom they have sacrificed in the most barbarous manner.

Texas. It appears by letters from Nachitoches, that there are many bands of robbers and smugglers in the adjacent country. Criminals and negroes find a sure asylum on crossing the Sabine, and increase the amount and force of the bands. A brisk trade is carried on with Galvestown--from whence newly imported slaves and valuable merchandise are almost daily introduced into the heart of Louisiana. The U. S. troops which recently arrived at Nachitoches, are said to be very sickly.

Kentucky. During the last fall, there was transported from Kentucky, through the Cumberland Gap turnpike, to southern markets, 26,824 hogs, 5,070 horses and 410 neat cattle, valued in the sum of 623,180 dollars, in specie or par money.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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CLOSE OF THE VOLUME. This sheet closes the present, or 21st vol. of the REGISTER: the title page and index therefor will be delivered or forwarded this day fortnight. The time is fitting for it, and we earnestly request, that all interested will be pleased to examine whether there be any thing between them and us.

We terminate the volume without much matter of regret, except that we have not been able to issue gratuitous supplements as heretofore, and so keep down the pressure of articles needful to record—The disposition exists, but the power is not with us; yet, such is the mass of such articles, that we are reluctantly compelled to express a belief, that the character of this work, (as a book of reference), demands that they should be brought up by the issue of a large supplement to accompany the next volume, at the usual price of \$1. We shall avoid this if we can—but it is most probable that a protracted session of congress may forbid us the customary use of the summer months to relieve our files of their excess materials, and leave us no discretion about it, compatible with our general views of the duty of our vocation.

THE APPORTIONMENT BILL, as it passed the house of representatives (fixing the ratio at 40,000), has also passed the senate, with an amendment having reference to the peculiar case of Alabama—which, most probably, will be approved of; and this troublesome matter be put at rest for the ensuing ten years.

FOREIGN NEWS. Paris papers of the 4th January, have been received at New York. They do not contain any thing important. The chief thing stated is that the heavy artillery of the Russian army had passed the Dneister, advancing to the Pruth, and that fresh bodies of Ottoman troops were arriving on the frontier. A war between those powers was looked upon as inevitable—and its consequences are said to be "incalculable." There were late accounts from Spain—which was more tranquil than heretofore represented.

We have late news from Brazil. After severe contests, the patriots at Pernambuco have succeeded in reducing the European troops, and have sent off their general to Portugal. Three newspapers were about to be established in this city, which contains 60,000 inhabitants.

NORTHERN BOUNDARY. A letter from the secretary of state, affording information respecting the progress made in determining the northern boundary of the United States, by the commissioners under the treaty of Ghent, as required by a resolution of the house of representatives, states that a difference of opinion had occurred between the American and British agents at their last meeting, at New York, in September 1821, and that they had adjourned to meet again on the 1st of April next.—The differences appear to be in respect to the north-west angle of Nova Scotia, and the northwesternmost head of Connecticut river.

FLORIDA TREATY. The board of commissioners for deciding on claims under the Spanish treaty

are most industriously engaged in the business confided to them. Important points are occasionally decided. A decision was yesterday announced, we understand, which is favorable to the admission of a description of claims, embracing a considerable amount, viz those cases of captures by French privateers, where the vessels were carried into Spanish ports, and the prizes disposed of by the captors without the form of trial or condemnation. *Nat. Int.*

THOMAS JEFFERSON. When this illustrious citizen was called upon to fill the most honorable and exalted office in the gift of his countrymen to confer, he said—"I have learned to expect that it will rarely fall to the lot of imperfect man to retire from this station with the reputation and favor which bring him into it." What was the result?—He retired with the benedictions of millions—the patriot-heart was lifted up to the AUTHOR of all good that the evening of his days might be as serene as their morning and noon had been beneficial to the republic; for, while he had so conducted our affairs as to rivet the affections of his political friends,—by the manifest honesty of his intentions, he had disarmed his political enemies of their violence, and compelled them to admit the purity of his motives, though they denied the soundness of his policy in certain respects: and this, when the then condition of the United States (fretted and rent by parties, each, perhaps, too much caused or kept up by foreign events or foreign feelings), is brought to recollection, was the accomplishment of more than any "imperfect man" could have hoped for. Faithful to his friends, he respected the rights of his opponents, and always yielded to truth, no matter by whom or in what manner presented. That his administration was free from mistakes, errors in opinion and errors of action, no one will pretend to say—but it is a subject of wonder that, out of such jarring elements as prevailed in his time, he was enabled to display the wisdom, strength and beauty of republican principles, and build up systems for their application that will stand the test of ages, and, so long as a republican remains, serve as landmarks for him. Responsibility in public men—specific appropriations for disbursements—economy in expenditure—habits of industry—and an encouragement of the people to think for themselves, are among the great matters established as right during the administration of this much-loved and revered individual.

But there is one point of view in which the character of Mr. Jefferson presents itself, that is especially calculated to shew him a truly great man.—Persons distinguished as he has been—honored as a philosopher and statesman, and seemingly placed at the head of both, in voluntary respect to his superior talents—have their "besetting sin," the pride of opinion; and, having ventured one erroneous idea, they will advance an hundred others to support it, rather than have their consistency questioned—whereby they think some part of their weight in society might be endangered. Many years since, in 1785, Mr. Jefferson said that we ought to have our workshops in Europe; and, in the condition of the country at that time, the theo-

ry may have been a sound one; but mighty have been the changes of that condition since, and Mr. Jefferson, long ago, abandoned that theory as inapplicable to the welfare of the people of the United States. His admirable letter to *Benjamin Austin*, esq. [see Register, vol. X. page 25], explains his reasons for that abandonment—he says, “We have experienced what we did not then believe, that there exists both profligacy and power enough to exclude us from the field of interchange with other nations; that to be independent for the comforts of life, we must fabricate them ourselves. We must now place the manufacturer by the side of the agriculturist. The former question is suppressed, or rather assumes a new form. The grand inquiry now is, shall we make our own comforts or go without them at the will of a foreign nation? He, therefore, who is now against domestic manufactures, must be either for reducing us to a dependence on that nation, or to be clothed in skins and live like wild beasts in dens and caverns—I am proud to say that I am not one of these. Experience has taught me that manufactures are as necessary to our independence as comfort,” &c. Would that the example of Mr. Jefferson might lead others to think, that they should give up the pride of opinion, and unite in means to secure the independence and comfort of our country!

These few remarks were caused by seeing in the Washington (Pa.) “Reporter,” the letter inserted below, addressed to Mrs. *Katherine Duane Morgan*, a lady whose efforts, and those of her fair sisters, for the encouragement of domestic industry, have already been noticed in page 337, of the present volume. The letter not only manifests the opinion of Mr. Jefferson on this great national subject, but is written in the happiest style of composition, and cannot fail of calling up the tenderest affections of the heart.

Monticello, Jan. 26th, 1822.

I have duly received, dear madam, your favor of the 10th, with the eloquent circular and address to your patriotic and fair companions in good works. I well recollect our acquaintance with yourself personally in Washington, valued for your own merit as well as for that of your esteemed father. Your connexion, too, with the family of the late col. Morgan, is an additional title to my grateful recollections. He first gave us notice of the mad project* of that day, which, if suffered to proceed, might have brought afflicting consequences on persons whose subsequent lives have proved their integrity and loyalty to their country.

The effort, which is the subject of your letter, is truly laudable, and, if generally followed as an example, or practised as a duty, will change very advantageously the condition of our fellow citizens, and do just honor to those who shall take a lead in it. No one has been more sensible than myself of the advantage of placing the consumer by the side of the producer, nor more disposed to promote it by example. But these are among the matters which I now leave to others. Time, which wears all things, does not spare the energies either of body or mind of a presque octogenarian. While I could, I did what I could, and now acquiesce cheerfully in the law of nature, which, by unfitting us for action, warns us to retire, and leave to the generation of the day the direction of its own affairs.

The prayers of an old man are the only contributions left in his power. Mine are offered sin-

cerely for the success of your patriotic efforts, and particularly for your own individual happiness and prosperity.

TH: JEFFERSON.

Mrs. Katherine Duane Morgan.

APPEAL, &c. Mr. M. Carey, has recently published an “appeal to common sense and common justice; or irrefragable facts opposed to plausible theories; intended to prove the extreme injustice, as well as the utter impolicy of the existing tariff. Illustrated by a sketch of the policy and situation of England, France and Holland.”

This is a very able and meritorious work, which we should make many liberal extracts from, if we had room. No doubt, we shall have occasion to make frequent references to it. We wish that it was in the hands of every man interested (and who is not?) in a sound political economy. The first edition is exhausted, and the second, by this time, probably out of the press. But the great misfortune is, that the people will not think—will not read, that they may think, as they ought. The progress of reason over habit and prejudice, is slow: for about thirty years we have looked to Europe for our prosperity; and, though the times demand it, it will perhaps require yet more suffering to make us look at home—though we must. There is some comfort in this—that we shall be compelled to regard our own independence!

GOOD NEWS FROM TENNESSEE. An intelligent friend and most respectable gentleman of Tennessee, has written a long letter to me entering into details of the condition and prospects of the people of that state, as to a mastery over the difficulties to which they have been subjected by their currency. He compliments the legislature, the banks, and the people, on their caution and care about making new debts, and thinks that industry and economy will soon bring up lee-way. The exports of the state are large and valuable, and its imports small and much reduced—the balance is in its favor, and specie begins to appear: change is abundant—as plenty as ever it was. He says that “buck-skin purses,” which looked so pleasant and wholesome fifteen or twenty years ago, are getting into fashion again, and are rapidly rooting out morocco pocket-books—and some of these purses, he adds, are such as no man need be ashamed of, being plentifully filled. The writer is of the old school; he would rather see a greasy purse well stored, than the most superb morocco pocket book, with pictures in the best stile, of “promises to pay.” He thinks there is something like reality in the former, and is pleased with the sound of the precious metals—the *clink, clink, clink*, of former days. He is pretty severe on the legislature of a neighboring state, on account of its request that postages might be paid in local paper-money—and thinks that if its legislature had checked the manufacture of the latter, the people would not have felt much difficulty about change; for the value of the medium would have led them to caution and retrenchment, instead of heaping speculation on speculation, and inducing them to get deeper and deeper in the mire of debt and difficulty. The proof of this he affords in the fact, that exchange between Tennessee and the eastern states has fallen to 12½ per cent. And it appears that it may still fall to a trifle—the mere cost or value of transmission—meaning by the exchange, the value of the notes of the old banks of that state and of the specie-paying banks in the eastern states. All this is really good

news, and we shall be truly glad to have to communicate the same sort of information about Kentucky—which is improving, notwithstanding her ill-advised legislation, through the prudence of her people.

MARYLAND. An able report has been made to the senate of this state on internal improvements. Its chief subjects are the navigation of the Susquehanna, and a canal to unite the waters of the Chesapeake with those of the Delaware. We shall endeavor to register it.

THE MECHANIC'S GAZETTE, is proposed to be published at New York, semi-weekly, at \$5 per ann. It will avoid political and controversial articles, to afford room that the national honor, independence and prosperity may be kept sedulously in view. If such are the objects and such shall be the pursuits of the "Mechanics Gazette," it would be moral treason to stand neutral as to its success. If freely patronised, by this able, wealthy and truly respectable class—men that so generally "fear God and pay twenty shillings in the pound" of their debts, we have no doubt that it will be useful to them as a body and beneficial to the nation. It will encourage them to become thinkers, and lead them to expressions of their thoughts; and perhaps be the means of bringing forth many now hid like gems in the caves of the ocean. The publication is to commence on the 1st April, and the numbers received at this office shall be laid aside for the examination of those who may please to call for the purpose.

THE CUSTOMS. In consequence of many valuable arrivals at New-York, it is stated that, in the first six days of the present month, so many goods were entered at the custom house, that the amount of duty "secured," exceeded one million of dollars.

THE U. S. SCHOONER PORPOISE, lieut. com. *Ramage*, has arrived at Charleston. The particulars of her cruise are chiefly detailed in the lieutenant's official letter, inserted in our last. He took 12 vessels in all, destroyed two on the stocks, broke up three establishments on shore, and made seven prisoners; three of whom were dismissed for want of evidence—the others are brought in for trial. The *El Bravo*, one of her prizes, has also arrived at Charleston.

A RICH FLEET recently sailed from Havana, for Cadiz. It consisted of a 74 gun ship, said to have seven millions of dollars on board, (the last that is expected by such a route from Mexico), a number of smaller armed vessels and many merchantmen, richly laden, having on board a large number of passengers.

VALUE. A Kentucky paper says, "The legislature of Missouri has passed an act declaring that the property which may hereafter be exposed to sale under execution, shall not be sold unless it will bring one half its value." We feel curious to know how the actual value of property is to be ascertained but by what it will sell for.

THE NAILS. From the *Federal Gazette*. It is stated to us that no less than five mails have been either *stolen* or *lost*, which were sent from Pittsburg to Baltimore and Philadelphia, since the first day of this year!

Several letters containing bank notes, directed to this city, have not been received. Some of these notes have written in red-ink on the face of them, Jan'y 4th, 1832, others January 26th, 1832; attention to this might aid in detecting the mode of losing the mails.

I have seen a letter from a gentleman in Pittsburg saying that he should not remit any more money by mail, for the reason that he had no sort of confidence in its safety. Two letters containing remittances in bank notes, were recently "appropriated" to the use of some robber; but another, containing a draft, was suffered to pass. It is bad, indeed, that the great thorough-fare from the east to the west, and *vice versa*, should be thus beset with knaves—We have great faith that the P. M. general will do all that he can to detect the marauders; but we venture an opinion, by way of prophecy, that, if the robberies are discovered, they will be found out to be committed in some office at which the principal is seldom in the performance of his duty. We must get rid of our *sinecurists* in every department, if we expect that the public business will be honestly attended to. There are hundreds of them.

SELECTION AND ELECTION OF PRESIDENT. *Mr. H. Niles.*

SIR—Your remarks on the circumstance that some members of congress were about to *nominate, and, against and without the consent of the people, appoint a president of the United States*, for the term commencing March 4th 1835, has led me to reflect seriously upon that matter, perhaps more so than I have ever done on any subject before, or ever shall again; and for your information and for the information of the widely scattered and numerous readers of the REGISTER, I send you the result of my reflections.

1st. That no people have yet been found so civilized or so barbarous, so enlightened or so ignorant, so rich or so poor, so condensed or so scattered, or inhabiting a climate so favorable or otherwise, but what have had a government, and what might be termed an *executive branch thereof*.

2nd. That, in all cases, without any exception as to the period of time, or people, the executive department of government has been filled by some person, good or bad; and who was elected, or appointed, or who succeeded thereto in some way, right or wrong.

3rd. That more than ninety-nine times out of every hundred, the executive department of government has been filled by bad men, and who have come into office by election, or appointment, or by succession, *unjustly*.

4th. That in all countries and every period of time, the accession or succession of bad men to office, unjustly, has been because the people, ~~THE PEOPLE~~, did not cause the office to be filled by good men in a just manner, and this conduct on the part of the people has resulted from an ignorance, a neglect or a contempt of their rights.

5th. That in all cases where the people in time past have neglected their rights and their duty, and in all cases in time to come, where the people may neglect their rights or their duty, persons have been and will be found ready and willing to usurp the abandoned right, and to discharge the neglected duty, for their own emolument and advantage, not regarding the mighty mass of evil and calamity they cause.

6th. And, to prevent the selection and election of a president for the American people, indepen-

dent of their knowledge or consent, they must make their selection and election for themselves.

To do this, they must choose delegates in all the states, to meet in some central place, in 1823, to select and recommend some suitable person for the presidency.

That the delegates so chosen, must be specially instructed by their respective states, whom to support; and the delegates so chosen must, in no case, be incumbents, (or EXPECTANTS!) of office.

That the result of the meeting of delegates be published for the consideration of the American people.

That, notwithstanding any selection and recommendation by a convention of delegates, the electors, when chosen, must vote independently of any previous recommendation or selection.

That, from this combined expression of the public sentiment, first by delegates chosen to select and recommend, and second by electors chosen to elect, no doubt the best and most honest selection and election would result. AN AMERICAN.

LEGISLATURE OF MASSACHUSETTS. The following resolutions have passed both branches; in the house of representatives unanimously.

Resolved, by the senate and house of representatives, in general court assembled, That, in their opinion, the power to establish a national bank, with branches thereof, in the several states, is vested, by the constitution, in the congress of the United States.

Resolved, That the act of congress, passed on the 10th day of April, A. D. 1816, to incorporate the subscribers to the bank of the United States, is a law made in pursuance of the constitution of the United States.

Resolved, That, inasmuch as the constitution of the United States, and the laws made in pursuance thereof, are the supreme law of the land—any thing in the constitution or laws of any state to the contrary, notwithstanding—the legislative acts of any state, so far as they prevent or defeat the operation of such laws, are void.

Resolved, That the act of the legislature of the state of Ohio, levying a tax upon the branch of the national bank established there, with the other measures proposed, would, if carried into effect, expel from the state such branch, and defeat the operation of the law by virtue whereof it was established.

Resolved, That, as the judicial power of the United States extends to all cases arising, in law and equity, under the constitution and laws of the United States, it belongs to the judicial department, to determine all cases arising from a conflict between the laws of the United States and the laws of a particular state.

Resolved, That the opinion of the circuit court of the United States, for the district of Ohio, against the officers of that state, does not violate the eleventh amendment to the constitution of the United States.

Resolved, That the constitutional exercise and preservation of the judicial power of the United States, is essential to the safety and prosperity of the union. And that, while the legislature will be ever ready to afford its aid to any state, against manifest usurpation or real encroachments upon its rights, it will also yield a reasonable confidence and support to all the departments of the national government, so long as they continue in the rightful exercise of their constitutional powers.

Resolved, That his excellency the governor be requested to transmit to the governors of the seve-

ral states of the union, a copy of the foregoing report and resolutions.

The report of the committee of both houses, *unfavorable* to the appropriation of the public lands for the purposes of education, was accepted in the house in concurrence with the senate. Only one member of the house was opposed to the report, and in the senate it was accepted unanimously.

VIRGINIA. The following resolutions were proposed in the house of delegates by Mr. Eppes, and rejected by a very small majority.

"Resolved by the senate and house of delegates of the state of Virginia, That the senators of this state in congress be instructed, and the representatives thereof be requested, to procure, as early as may be, the following amendments to the constitution of the United States, to wit:

"1. That the legislative authority of the United States shall not be construed to extend to, or embrace, any power which is not expressly granted to congress by the constitution, or absolutely necessary and proper for carrying the same into execution.

"2. That neither the government of the United States, nor any department thereof, shall be construed to have the power to bind, *conclusively*, the claims of the states composing the union, to rights contested between the general and state governments, under the constitution.

"3. That the judicial power of the United States shall not be construed to extend to *any* case in which a state shall be a party, except in controversies between two or more states, nor to any other controversies involving the rights of a state, and to which such a state shall claim to become a party.

"4. That no appeal shall be construed to lie to any court of the U. States from any decision rendered in the courts of a state.

"5. That no law made for the district of Columbia, or for any state, district, or territory, shall be construed to have force within any other state, which shall conflict with justice, with the principles of morality, with rights claimed under such states, or with the systems of policy or revenue of such a state."

KENTUCKY. The following are the resolutions, adopted at the late session of the legislature of the state of Kentucky, "concerning the occupying claimant law, and the decision of the supreme court of the United States thereon," under which the Kentucky commissioners have presented themselves to the Virginia legislature. The resolutions were preceded by a long report, from the pen of Mr. Pope, as we understand, for which we cannot possibly find room, for the present at least:

1. *Resolved by the general assembly of the commonwealth of Kentucky,* That they consider an adjudication, that the laws in question are void, incompatible with the constitutional powers of this state, and highly injurious to the best interests of the people; and therefore do, in the name of the commonwealth of Kentucky, and the good people thereof, solemnly remonstrate and protest against any such adjudication.

2. *Resolved,* That the governor of this commonwealth be requested to transmit copies of the foregoing report and resolution to each of our senators and representatives in congress.

3. *Resolved,* That two commissioners be appointed on the part of this commonwealth, who shall have full power and authority, jointly and severally, if they shall deem it necessary or expedient, to

repair to the city of Richmond, in Virginia, and open a communication with that government concerning the meaning and execution of the compact between this and that state; to obtain, if practicable, from Virginia, a declaration of her satisfaction with the construction and performance of said compact on the part of this commonwealth; and, if such declaration cannot be obtained, to invite a discussion of her objections; and, with a view to a final adjustment, to co-operate with Virginia in constituting a board of commissioners, as provided for in the 12th article of the compact.

4. *Resolved*, That the said commissioners be requested to attend the supreme court of the United States, at the next term, and oppose any decision that may be attempted to be procured from the supreme court, that those laws are void, in such manner as they may deem most respectful to the court, and most consistent with the dignity of this state.

5. *Resolved*, That the election of two commissioners, contemplated by the foregoing resolutions, shall be by a joint vote of both houses.

FRAUDS ON THE PUBLIC. Of all the governments in the world, we believe that of the United States has been the most shamefully cheated by its agents. The nation is fully aware of the defalcations of certain of the receivers of public monies, of a few officers of the customs, and of the case of the celebrated Theron Rudd. To these we have to add that of Mr. Nathaniel Ewing, late an agent for paying military pensions. According to a report of the secretary of war of the 1st instant, it appears that this gentleman had been furnished with the sum of 30,694 dollars and 39 cents, for the purpose of paying pensions in the state of Indiana. Out of this sum be retained 10,682 dollars and 54 cents, as appeared upon the settlement of his accounts on the 13th of November, 1821. It is true, he was dismissed on the 13th of August preceding, and suit was ordered against him. But what does such an agent care about a suit? He has got the money, and, by the time a recovery is had, there will, in all probability, be nothing found to satisfy the judgment. Is it any wonder that congress multiply inquiries? Can any investigation be too sharp for such knavery? We regret that the time when the advances of money to Mr. Ewing were made is not stated in the report, as then we might be enabled to judge whether the advances had been discretely made or carelessly allowed.—There is certainly an impropriety in trusting public agents with large sums of money in advance, where there is no absolute necessity for it; and there is a serious responsibility attached to those superior officers of government, who sanction such a loose way of transacting the public business. The press must deal more freely with these defaulters; since, what with the power of construing laws, and what with the tender indulgence of those who are entrusted with the national expenditure, there seems to be but little chance of otherwise curtailing the evil of defaulting, of which we have the most glaring instances every year.—*Wash. Gaz.*

CHINA. The late advices from China state, that the reigning emperor has issued several edicts, restraining and forbidding the admission of missionaries from Europe, who have arrived in that empire, with the view to propagate the christian religion. Some severe imputations are made against the missionaries, who are represented as stirring up strife in families, withdrawing the affections of children

from their parents, exciting disaffection to the laws and the magistrates, impiously insulting the sacred religion of the empire, which had endured so many ages, and contributed to the peace and happiness of the heavenly empire, while the infidels of Europe, who profess to be the lovers and worshippers of a God of peace, have been involved in never-ending wars; and have covered all nations of Asia, to which they have had access, with the bones of their sacrificed people. Many missionaries and their converts had been put to death—and their discovery and exile was imposed as a duty on every Chinese.

[If the emperor of China acts from the known conduct of European nations, professing christianity, he does perfectly right in opposing every thing that may introduce such discordant elements into his empire.]

MEXICO.

The direct news from Mexico, by way of Natchitoches, (under date of January 8,) is, that the whole kingdom has declared independence, and sworn to maintain it; and that the late vice-roy O'Donohu agreed to it, and died a few days afterwards. A provisional government is in operation, and in the latter part of the month of December, delegates to a general convention were appointed in all the provinces, to meet in Mexico, to form a constitution.

This is the substance of our present information. We had heard, and therefore stated, that there had been a re-organization of the government. This appears to be in anticipation of an occurrence which may be expected.

We have been obliged, by a gentleman now in this city, with the following translation, from an Havana paper, of a late address of general Iturbide, to the people of Mexico.

Nat. Int.

Proclamation addressed to the inhabitants of Mexico, by general don Augustin de Iturbide,

He who by the tacit or expressed will of a constituent, undertakes to represent him, cannot prescribe to himself a better rule for his conduct than the lawful interest of his principal; because it is natural to presume he desires every advantage that is not repugnant to justice. This alone I proposed to myself when I proclaimed, at Iguala, the independence of the Mexican nation of Old Spain, and of every other power, even of this continent; being intimately convinced of the public opinion, and public spirit of the Mexican people. After this declaration, the first idea that did, and ought to occur to me, was the form of government which was most suitable to a nation, called to take its stand in the first rank among those which inhabit this globe.

This desired form, and to be as durable as the morbid fate of human affairs will permit, has been for some a problem, difficult and tedious to solve; but, for me, it was neither the one nor the other; the moment was come, and I easily discovered from whence the light was to proceed, on which depended the happiness of the new empire.

The public opinion, which sighed for the emancipation of this country from the old metropolis, desired it, with the other two requisites which were to constitute also the guarantee of the imperial; and united, they formed this glorious device, religion, independence and union. This is what has conducted the enterprize so happily to its desired end, and what has given rise to so many discussions relative to the advantages offered by the various forms of government known, and their diverse combinations; these essays, however, have

not induced me to hesitate, as to that which was most suitable to the nation, when she declared her independence.

The government, I said, in the third article of the draught of Iguala, shall be a *limited monarchy, regulated by a constitution peculiar and adapted to the kingdom*; next to the second article, of the acts celebrated in the city of Cordova: *the government of the empire shall be a constitutional, limited monarchy*. I fixed this basis, not because I was convinced that a monarchy was that form of government which was most honorable to society; but because no one doubts, that, when limited constitutionally, it is the most suitable, taking into consideration the imperfections and the passions of man: thus alone, can be avoided the frequent and the ruinous conflicts between people contending for liberty, nobles for power, and kings for arbitrary dominion.

This basis being fixed, the necessary consequence was to designate the person, and the dynasty which were to occupy the throne. Knowing the pacific disposition of the nation in whose name I spoke, I did not believe myself authorized to proclaim more than the first defence of her indisputable right, nor therein to exceed the limits of moderation; much less to tarnish this glorious work by sowing the seeds of aristocratic factions; or the principles of popular ferment which appertains to democracy.

How then could I leave a door open to the more serious inconvenience and confusion, which are wont to accompany the election of a king, in an elective monarchy. I designated then, in the first place, the person of the same prince who had thus far reigned in New Spain; and to obviate all difficulty, and not to proceed any further than was necessary in explaining the presumed will of the nation, I limited myself to shewing a preference for certain persons of the dynasty of Ferdinand VII. of Spain, not by hereditary order, but successive, with a reservation to the nation, that the cortes should determine the conditions of the coming of that person; and, in default thereof, they should call whomsoever they might see fit.

I have found myself under the necessity to publish these brief guides to guard against that exalted enthusiasm which is so apt to give a wrong direction to patriotic affections.

I have noticed, with feeling, in various publications, that gratitude has induced some writers to invite me to the diadem of this empire, arguing, at the same time, that I was not invested by the nation with any power that constituted me her attorney, (and this to support the invitation), that the plan sworn to at Iguala, was not obligatory on the nation, as she did not make it, and that I was then ignorant of her will. I acknowledge that all those who at that time were silent, and moreover, that all who will, ought now to speak frankly the truth. It is true that I have acted under the presumed opinion and will of the nation. I acknowledge that nothing limits the rights, recognized by public acts and civilized nations, in a people to form, maintain, perfect and change their constitution, as it may appear expedient to them, for their happiness and prosperity; and that this was the sole object of all my endeavors; and particularly in the important basis of the government, which was to succeed the ancient Spanish.

Finally, it is not only a truth, but a fact notorious and incontestible, that the nation has ratified with the most energetic demonstrations and with the most solemn acclamations, what I have done in her

name, and as her representative at Iguala and Cordova.

How then can a nation impugn, (circumstances remaining the same), *that* which she has so solemnly authorized by her public vote? What can ever be considered stable in the faith of nations, and their representatives; what guarantees, what oaths will be considered a pledge of security?

I am aware, and well satisfied that the principles are acknowledged which justify the change of government; that in fact belongs exclusively to the nation, and it is not within the province of a few individuals to throw the state into confusion. I must now endeavor to undo some equivocations of transcendent consequences, in order to legitimate my acts, and I must expose, also, that which touches me personally, in regard to the insinuations, and the proclamations which defer me the crown.

He who established the aforementioned basis of the plan of Iguala, and the acts of the city of Cordova, has a right to be believed above all spirit of ambition, and not to have aspired to any other glory than that of the liberty of his country; nor to any other retribution than that which is experienced by generous minds in conferring a benefit of importance. But such authentic testimonies will serve but little to protect, not my works, but my very inmost thoughts from suspicious calumny. In this capital, when there was, what was called a Spanish government, there was published in a periodical paper, a certain article, under the name of "Mexican Patriot," in which, not being able to say any thing of my conduct that could stain my reputation, they had the temerity to pry into my thoughts, making these notable remarks: "Successes, more owing to the irresistible force of opinion than to arms, have, perhaps, so blinded your chief, as to make him think of a crown, which will cover him with opprobrium; it would be difficult to obtain, and, when obtained, would soon fall, with a mighty crash, from his temples. He should not be flattered more with the hopes of crowns of laurel and oak, than his brothers in arms."

If this had been written at a time when popular clamors did not resound with his praises, and popular voice had not raised him a throne, what will be said of this chief if he were silent, and were to permit to be qualified, as baseless and unsubstantial, that which he established in his plan, and adjusted in his acts abovementioned.

It is not, surely, in my power to silence the murmurs of calumny, nor the whispers of malice; neither can I determine the success of political predictions formed on the rejection of the offer of the throne by the emperor, and other persons of his royal family to be called in the event; but that which I can affirm of myself is, that, should the Mexican nation, disposing legitimately of the sceptre of her empire, offer it to me, as the Spanish nation offered Spain's to Wamba, it would be necessary, to produce a parity in event, that the miracle of Aaron's rod were thrice repeated, which, according to some historians, was that which induced this right worthy prince to yield to the instances of the electors; and, applying to myself, in the figurative sense, some part of Numa's answer to the ambassadors of Rome, who presented him the crown, I should not cease to answer, that if any recommendable qualities were to be discovered in my person, they would be absolutely such as ought to disqualify me for it, viz. the love of repose and a retired life.

ITURBIDE.

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Law of the United States.

An act to revive and continue in force an act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war."

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," passed on the tenth day of April, one thousand eight hundred and six, and limited as in said act declared, to the term of six years, and afterwards revived and continued in force for and during the term of six years, by an act, entitled "An act to revive and continue in force an act to provide for persons who were disabled by known wounds received in the revolutionary war, and for other purposes," passed on the twenty-fifth day of April, in the year one thousand eight hundred and twelve, and afterwards revived and continued in force for the term of one year, by an act, entitled "An act to revive and continue in force an act, entitled 'An act to provide for persons who were disabled by known wounds received in the revolutionary war,'" passed on the fifteenth day of May, in the year one thousand eight hundred and twenty, shall be, and the said act is hereby, revived and continued in full force and effect, for and during the term of six years from and after the passing of this act, and from thence unto the end of the next session of congress: *Provided,* That any evidence which has been taken to support any claim of any person disabled in the revolutionary war, under the authority of the "act of the fifteenth of May, one thousand eight hundred and twenty," reviving and continuing in force, for one year, "An act to provide for persons who were disabled by known wounds received in the revolutionary war," shall be received and acted upon by the secretary of war, in the same manner as if said act was still in force and had not expired: *And provided, also,* That this act, and any thing contained in the act hereby revived and continued in force, shall not be construed to repeal or make void the fourth section of an act, entitled "An act concerning invalid pensions," passed the third of March, one thousand eight hundred and nineteen: and the said fourth section of the said last mentioned act shall be, and the same is hereby declared to be, and to continue to be in full force and effect, any thing in the said act, hereby revived and continued in force, to the contrary notwithstanding.

Sec. 2. *And be it further enacted,* That the right any person now has, or hereafter may acquire, to receive a pension in virtue of any law of the United States, shall be construed to commence at the time of completing his testimony pursuant to the act hereby revived and continued in force.

Sec. 3. *And be it further enacted,* That the agents for the payments of pensions to invalid pensioners of the United States, shall, in future, be required to give bonds, with two or more sureties to be approved by the secretary of the department of war, in such penalty as he shall direct, for the faithful discharge of the duties confided to them respectively.

PHILIP P. BARBOUR,
Speaker of the house of representatives.

DANL. D. TOMPKINS,
Vice president of the United States, and
president of the senate.

Washington, Feb. 4, 1822.—Approved:

JAMES MONROE.

Uniform System of Bankruptcy.

Sketch of Mr. Stevenson's speech on the bankrupt bill.

Jan. 23, 1822. Mr. Stevenson commenced, by observing that he did not dissemble when he assured the committee that it was with much reluctance he had consented to participate in the present debate; a reluctance arising as well from the importance of the subject under consideration, as the imposing character which the discussions and deliberations of that house, to him, always assumed. But, as the subject was one of acknowledged interest to the nation, and involving, (in his view of it), constitutional principles, and as it had produced much excitement in the district which he represented, Mr. S. said, he felt it his duty to submit to the committee his views upon the subject, and the reasons which compelled him to vote against the bill. His situation, he said, was one of extreme delicacy. He resided in a city that had participated deeply in the commercial embarrassments and misfortunes, so forcibly presented to the view of the committee, on yesterday, by the gentleman from Pennsylvania, (Mr. Sergeant), and many of whose virtuous, intelligent and enterprising inhabitants, had been totally ruined: Men, who, from their conduct, characters and misfortunes, were justly entitled to claim all the benefits which the friends of the bill seemed to anticipate. Under such circumstances, Mr. S. said, it would readily be perceived that it was no pleasant duty which he was about to perform; and, deeply as he sympathised in the misfortunes of those virtuous and good men, (not only of his own state, but elsewhere), who looked to this law as the only means of relief, and whom every feeling of his heart would urge him to save; yet there were other considerations, of a paramount character, which forbid the exercise of those feelings when opposed by a sense of duty; and believing as he did, that the interests of the nation were opposed to the bill, he felt it his duty to vote against it— from an upright and independent discharge of which duty, no personal considerations could induce him to shrink. He intended, Mr. S. said, as far as he was able, to meet the subject fairly, and, although he knew it would not be enlivened or dignified by the manner of his discussion, yet he should endeavor to avoid fatiguing the committee by a protracted debate.

He proposed to consider the subject under a two-fold view. First, as to the power—and, secondly, the expediency, of the measure. He doubted, he said, in the first place, the power of congress to pass a bankrupt system, which contained a provision for the extinguishment of individual contracts, or the impairment of their obligation; and if there was such a power, it must operate prospectively, and not retrospectively—and, secondly, that, if they have the power, it was unwise and inexpedient to exercise it in the manner proposed by this bill. Discussions upon constitutional law, and the powers of the general government, Mr. S. said, he was well aware, from what he had seen and heard, were not very graciously received in that house, and especially by those gentlemen who believed that the powers of the federal government were sufficiently limited, and would gladly see them enlarged, and who imagined that there was more danger to be apprehended from the government of the states than that of the union. These doctrines, he knew, had many powerful advocates, both in and out of the house, and brought to their sanction the authority of great names. To

gentlemen who entertained these opinions, Mr. S. said, he was satisfied any arguments, which he might urge against the power of congress to pass this bill, would be unavailing;—but yet he should not be deterred from offering them on this or any other occasion, because they might not be favorably received or considered very fashionable. He came, he said, into congress with some old-fashioned notions upon constitutional doctrines. He was one of the few, (if gentlemen would so have it), who believed that *constitutionality* and *expediency* did not mean the same thing, and who thought that the charter of our liberties ought to be *expounded*, as its illustrious framers *intended*, with a jealous eye to the rights and objects it was intended to secure, and not as *policy* or *power* might direct. Whilst, however, he avowed very frankly these opinions, he hoped not to be understood as expressing any sentiment unfriendly to the general government, or to the full exercise of its constitutional right; he had no such feeling; he came there prepared to aid and support the government, as far as he could, in the accomplishment of the objects for which it was established, but, at the same time, with a deep-rooted and unalterable attachment to the rights of the state governments, (not less important and dear, he hoped, to every member of the house), and to the maintenance of which he looked as the most efficient means of preserving the *union*, and the liberties and happiness of the people. He should, therefore, he said, as a representative on that floor, always refuse to exercise powers which were not, in his opinion, clearly constitutional; and, if he entertained any doubt as to the right of doing so, he should err on the safe side, and refuse to act. Whenever we are called upon to legislate, said Mr. S. the power must be shewn clearly to be constitutional.—Whenever the state governments are to be *prohibited* from acting, it must be shown as clearly to be unconstitutional.

Mr. S. said, he presumed it would not be contended that congress had power to pass any law extinguishing individual contracts, or impairing their obligation, except under the 8th section of the 1st article of the constitution, which declares that they shall have power “to establish uniform laws on the subject of bankruptcies throughout the United States.”

It was true, he said, that the constitution of the United States did not contain any direct prohibition upon the general government, as to the exercise of such a power, and did contain a clause directly inhibiting the states from impairing contracts. But, Mr. S. said, that this prohibition upon the state governments, and the absence of it, as to the federal government, was no argument to prove that the power was possessed. The reason of the prohibition, in the one case, and its absence in the other, was obvious, and to be found in the peculiar structure and organization of the two governments. It had been well remarked that the federal government was “*imperium in imperio*, a government within a government;” the one possessing only such powers as were expressly or incidentally granted; the other possessing all powers not granted or prohibited. As this power, then, was not granted by the states to the federal government, (unless it be in the clause giving power to pass bankrupt laws, which he should hereafter examine), it was unnecessary to prohibit in the constitution, the exercise of a power not granted. But this power remaining with the states, and it being a dangerous one to be confided to any go-

vernment, it was deemed wise to prohibit it. This, Mr. S. considered, was the reason why the prohibition was laid upon the states, and not upon the general government. If this was not the case, and the power to violate contracts be claimed for congress, (apart from the bankrupt clause), it can only be supported upon the ground, that the prohibition of this power to the states was an implied permission of it to congress. But this doctrine, it was believed, would not be urged, and could not be sustained. Congress have no more power, (unless it be in the clause on the subject of bankruptcy), to impair the obligation of a contract than the states—and the moral prohibition is equally binding on both.

But it will probably be argued that the power given by the 1st article of the constitution to pass uniform bankrupt laws, vests in congress the power to extinguish the contract or impair its obligation.

Let us, said Mr. S. first see in what manner this clause of the constitution is to be construed, and then examine what power, by a fair construction, it gives.—It seemed to him that all parts of the constitution were not subject to the same rules or modes of interpretation. That charter partook of essentially different characters, and ought not to be construed alike strictly or liberally. There were parts of it which might be considered of a *social*, and other parts of a *federative* character. The one ought to receive a *liberal*, the other a more *strict* and *rigorous* construction. The grant of powers purely federative, it had been said, partook more of the character of a treaty or compact between independent powers, and therefore should be more strictly interpreted, especially if the grant of power claimed, was in derogation of the rights of state sovereignty. Here Mr. S. illustrated the argument, by those parts of the constitution on the subject of the habeas corpus, the trial by jury, and the liberty of the speech and the press.—These rights ought all to receive the broadest and most liberal constructions; but the power now claimed belonged to the federal, and not social class, and therefore the rule of construction should be strict rather than liberal. He proposed, however, to consider it in both ways. 1. Strictly according to its words; and 2. Liberally, according to the intention of the framers of the constitution; and in either way he denied that the power was given. “Congress shall have power to pass uniform laws on the subject of bankruptcy” What, Mr. S. asked, was bankruptcy? The constitution is silent on the subject, and there is no constitutional definition; but we shall be told that we must look to the English statutes alone for the meaning, and what constituted bankruptcy there, is to be the rule of power here.

If this be so, (and Mr. S. said he would not stop to controvert it), if the framers of our constitution did look alone to the English system, when they used the term bankruptcy in the constitution, let us see what is its meaning and character according to the English writers. Bankruptcy, we are told by sir William Blackstone, (that accomplished scholar and enlightened judge), is a system founded in justice and humanity—intended for the benefit of trade, and conferring benefits and privileges on creditors and debtors; on the creditor, by compelling the bankrupt to give up his whole estate without any fraudulent concealment, for the payment of his debts; and on the debtor, by exempting him from the rigor of the law, which subjected his person to imprisonment. These are the

essentials which constituted the English system of bankruptcy; and when was it heard, said Mr. S. that the release or extinguishment of the debt was an essential or necessary ingredient, to constitute bankruptcy? Neither in England or America, he ventured to affirm, was it ever so considered. Not in England, because history tells us, that the bankrupt system existed there as such, for nearly two centuries, without any such provision, and it was not until the reign of Anne, that it was ever heard of: Then, for the first time, it was introduced into the English bankrupt law.—But, say the gentlemen, as this clause was a part of the system at the time the constitution was adopted, the framers of the constitution intended to make that system, as then existing, the rule of power here. This argument, Mr. S. said, proved too much. By the English statutes, from Henry to the present day, the bankrupt system was confined exclusively to traders. Now, are gentlemen prepared to say, that congress have no power, if they do pass a bankrupt law, to extend its benefit beyond traders, to other classes of unfortunate and honest men? and yet this would be the consequence if the English statutes were alone in the eye of the convention, when the constitution was formed. Again, no commission can issue in England, but on the application of some creditor: and yet would a law be said to be unconstitutional here, because it provided for issuing the commission upon the application of the debtor? if not, what becomes of the argument that the English statutes, as they existed at the time the constitution was formed, give the rule as to the powers which congress possess? Mr. S. here referred to an opinion of the supreme court on the question of what were the essential ingredients of a bankrupt law. He did not refer, he said, to the decisions of that court, or any other court, as authority on this house; but, only as the opinions of distinguished jurists and enlightened men, entitled to such weight as the house might be disposed to give them. The chief justice, in delivering the opinion of the court in *Sturges vs. Crowninshield*, says: “The line of partition between bankrupt and insolvent laws, is not so distinctly marked as to enable any person to say with precision, what belongs to the one class, or the other. It is said, for example, that laws which merely liberate the person are insolvent laws, and those which discharge the contract are bankrupt laws. But, if an act of congress should discharge the person of the bankrupt and leave his future acquisitions liable to his creditors, we should feel great hesitation in saying that this was not a bankrupt act, and therefore unconstitutional.” Again, the court say, that the states may, until congress exercise the power, pass bankrupt laws; though no power is given them to include in such laws, any principle impairing the obligation of contracts. Here, then, said Mr. S. is the authority of the judicial department of this government, that the release of the debt is no characteristic of a bankrupt law; that even the state governments may pass bankrupt laws, but without the clause which it is now said, gives it alone the character and name of bankruptcy.—Does not this prove that bankrupt laws may exist, without this extinguishment of the debt, and that *ex vi termini*, is no part of the system of bankruptcy? If, then, we construe the constitution strictly, it comes to this—congress may exercise the power of passing uniform bankrupt laws, and beneficially too to the nation (as I shall endeavor to shew),—thus satisfying the power which is given in the 1st article of the constitu-

tion; and yet, not violating the principles of the social compact, and the implied and moral prohibition against the invasion of private contract. The inviolability of contract was intended to be held sacred. Indeed, Mr. S. said, he considered the implied prohibition against this power, as strong and binding as if it had been expressed in the constitution; and in construing the clause upon the subject of bankruptcy, in connexion with the genius of the government, and the spirit, and provisions of the other parts of the constitution and the implied and moral prohibition, he thought the rules of construction which would be applicable to two affirmative statutes on the same subject, not directly conflicting, ought to prevail; in such case both statutes are made to stand, because implication, not sufficient to repeal. So here, this implied power, not to be considered as given, because directly against all the whole spirit and object of the constitution, and the rights it was intended to guard. But, Mr. S. said, he would abandon, if gentlemen pleased, this strict and literal construction of this sacred instrument, and consider it upon more liberal and extended principles, and according to the intention and meaning of the distinguished men who framed it. It would be admitted, he supposed, as a principal of universal law, (and as universally just), that all contracts are obligatory, and must continue to have force until performed; or until the obligation to performance be discharged by the party having the right to performance. It would also be conceded, he presumed, that contracts are *property*, and were so intended to be regarded by the framers of the constitution. Let us then see, said Mr. S. how this right of property stands connected with the constitution and the government itself. Need the house be told that it is amongst the most sacred and important rights which belong to freemen, and free government. That it stands next to liberty and life; both of which would be worthless without it. That so jealous were the people of this right, and fearful of its security, that they were found, immediately after the adoption of the constitution, throwing additional safeguards around it and expressly declaring, in the fifth amendment, that private property should not be touched, even for public benefit, but on due compensation. Shall it be said, then, that, whilst these wise men were throwing additional barriers around this right of property; whilst they directly say, that in times of great necessity, even in war, when the foot of the invader might be on your shore, and the government itself endangered—if in such cases, Mr. S. said, you could not touch (by the exercise of what might be called the despotic power), *private property* without compensation, can it be supposed that such a power was intended to be given, and that incidentally, by tacking it to commercial regulations, and making it an appendage of bankruptcy; and given too for the benefit, not of the whole people, but a particular *privileged class*? whilst equality breathes through every part of the constitution, and declares that no distinctions—no monopolies—no privileges, shall exist? whilst it takes from congress this power, for the benefit of all, can it be believed it was intended to be given for the benefit of a *part*? It is at war with all those principles which actuated those illustrious men, and upon which the government was based. They knew that *property* was the object at which tyranny struck; and was therefore the *citadel* which freedom should defend. They never dreamed that this tremendous power, this sleeping monster,

was covered by a right to make laws for the benefit of commerce and commercial men. The evils which they intended to remedy, and the benefits they meant to confer, had nothing to do with such a power, as he should endeavor to shew. What, Mr. S. asked, were these evils and benefits? (and here he should undertake to prove what it was the duty of those who claim this power to shew.) In the first place, faith was to be established between the citizens of the different states: All citizens of the United States were to be placed on the same footing; one state not to affect another, by protecting the *property* and *frauds* of its own citizens or others; the agricultural states were not to fetter and embarrass those that were commercial. The convention saw that some of the states might, under peculiar circumstances, be disposed to act unjustly and improperly, by protecting the property of its citizens against their creditors, and therefore it was deemed proper to invest congress with the power to prevent it, by passing uniform laws on the subject of bankruptcy, whenever the state legislatures should make it necessary; that these were the reasons which induced the convention to give the power, Mr. S. thought clear from a passage to be found in the *Federalist*, (written by Mr. Madison), and the only thing that was written, or said, (which he had been able to find) either before or after the adoption of the constitution, upon the subject. When the writer came to that part of the constitution which related to bankruptcy, (1 vol. Fed. 201), he uses these words: "The power of establishing uniform laws of bankruptcy is so intimately connected with commerce, and will prevent so many *frauds*, where the parties live, or their *property may lie*, or be removed into different states, that the expediency of it seems not likely to be drawn into question." Here then we see, that the objects were to prevent frauds, by debtors removing with their property from one state to another; and, after incurring debts in one part of the union, going to another for the purpose of securing and covering their property. It was to secure the country against multimor and inconsistent bankrupt laws of the state governments, which might defeat the rights of creditors, and aid the debtors in their fraudulent and secret conveyances of property, that the power was given; but it was never intended, in doing so, to authorize the total extinguishment of individual contracts by any legislature. It was not necessary to be given; it was too dangerous a power to be exercised; and wise and virtuous as representatives in congress might have been considered by those who formed the constitution, yet they knew that they would be but men, and legislatures, like individuals, often do "acts that would make even angels weep." Besides, Mr. S. said, could it be believed, for a moment, that such a power as this claimed, if it had been believed to have been given, (and we have the right to understand the constitution as it was received by our fathers) would not have been seized on at the time as the ground of opposition to its adoption, and the means of defeating it, by those men in the respective states who viewed it with so much hostility and jealousy? Would the opponents of the constitution, in the conventions of the several states, Mr. S. asked, have seized on so many other powers granted, of *subordinate* and *inferior* character, and have lost sight of this great and vital one, if they had believed for a moment that the power now claimed was given, or intended to be given, in any part of the constitution? Where Mr. Chairman, said Mr. S. was that eagle and lynx-

eyed jealousy which marked the conduct of Mason and Grayson, and the immortal Henry, in the convention of my own state, and that of other distinguished men throughout the union, when a power, such as this, was permitted to pass without objection or even discussion? Sir, I tell you that, had this power then have been supposed to have been given, the constitution would never have been adopted by Virginia. This alone would have ensured its rejection, notwithstanding the character, and talents, and unexampled perseverance, of its best friends. In support of this view of the subject, Mr. S. referred to the debates in congress, soon after the adoption of the constitution, in which a bankrupt system was opposed upon the ground that the evils which the convention intended to guard against, were those which he had just pointed out; and until the states made it necessary, by protecting and aiding fraud, for congress to interpose, they ought not to act. That bill was at that time promptly rejected. In short, when we consider the nature and danger of the power claimed; the character of the rights contended to be assailed by it; the principles of our constitution, government and laws; the equality which every where breathed through them; the direct prohibition upon the state governments; and the implied moral prohibition upon both state and general government—could it be believed, Mr. S. asked, that the framers of the constitution intended by this clause to lay at the mercy of congress such an important and dangerous power; and that, too, for the benefit of a particular class, to the exclusion of the rest of society? It cannot be believed; if it were so, vain and worthless would be the constitution itself, and all those boasted rights, which we thought had been secured to us by the virtue and wisdom, and godlike achievements, of those illustrious men who poured out their blood to save us.

But, if the power is given to congress to pass laws which may extinguish or impair the obligation of individual contracts, must they not act prospectively and not retrospectively? It would seem, Mr. S. said, to him, that this was a branch of the subject which did not need discussion; that the principle of retrospective law was at war with every system of human legislation, both as it regarded crime and contract, and alike odious and unjust. The importance of some constitutional safeguard, as to personal rights, had been too strongly enforced by the oppressions and tyranny of the mother country to be disregarded. The fate of Stafford, and Clarendon, and Atterbury, were fresh in the recollection of the fathers of our revolution; and they knew that the blood of Hampden and the labors of Sidney, had ended in constructive treason. These oppressions, which had been practised under the cloak of legislative judgments, and judicial decisions, pointed out the propriety of throwing additional sanctions around the treasure of human life; and accordingly, the provision in the constitution, as to *ex post facto* laws, was inserted. But after having thus wisely provided in favor of personal rights and placed them beyond the reach of retroactive laws, could it be believed that the framers of the constitution intended to leave the rights of property at the mercy of legislative discretion? Were not the great objects of legislation, Mr. S. asked, to enforce, not violate, contracts? Did not every principle of correct legislation reprobate this odious doctrine of retrospective laws? Was it not against the form, and genius, and spirit of every free government, and especially ours? Was it not

against the principles of the social compact, natural justice, and all our notions of moral and civil rights? Are congress prepared, Mr. S. asked, in legislating on such a subject as this, to give its high sanction to such doctrines? He hoped not. He hoped that if the bill was to pass, and with the 35th section, (providing for the extinguishment of the contract), it would be limited alone to contracts that should be thereafter made.

Mr. S. said, he was fearful he had already tired the committee, and he would not press this branch of the argument further, particularly as he should probably be followed by some gentlemen who were able to do it more justice. He would, therefore, pass on to the consideration of the bill, upon the grounds of its expediency.

And here, Mr. S. said, we are met by an argument, that we have often heard used in favor of legislation on the subject—that, as the power had been given to congress by the constitution, it was intended that it should be exercised. In answer to this, Mr. S. said, he would only remark, that the former was only to be exercised in a wise discretion, and in extreme cases. It was, like some other powers which the constitution had left in the discretion of congress, and which had not been and he hoped never would be exercised: he alluded particularly, to the right of fixing the time and manner of elections of senators and representatives to this house; and he was indebted for this to the suggestion of his distinguished colleague, (Mr. Randolph). This power was given to enable congress, if the states should ever attempt to embarrass the federal government, by the manner of their elections, to interpose the corrective. As yet the power has never been exercised, and he hoped, never would be; and if it was attempted, it would produce great excitement and alarm in the states. So, too, as to this power of passing uniform bankrupt laws.—Whenever the states shall, by an improper course of legislation, render it necessary for congress to act, let them do so; but let us not be told, that, because the power is given, it is therefore to be exercised.

Mr. S. said, that he would proceed briefly to the consideration of the principles and leading provisions of the bill.

This was, in effect, the English system of bankruptcy, differing only in some of its details, and in the nature of its punishments and prohibitions. He objected to it in toto. 1st. Because it had wholly failed in its operation in England, (where it could be more easily enforced than in this country), and would consequently fail here. 2dly. That it was a system filled with mischief and fraud, not suitable to our notions of civil liberty, or the principles of our jurisprudence, nor the morals, manners, or habits of the people.

Let us see, in the first place, how the system has operated in England. And here, Mr. said, before he proceeded further, he would beg leave to say one word in answer to that part of the argument of the gentlemen from Pennsylvania, (Mr. Sergeant), as to the effect of the bankrupt laws of France, Holland, and Spain. Those countries were not like ours. Their governments are despotic; ours limited and confined. There they had no security for rights of persons and property, (but discretion of ruling power); here constitutional protections and safeguards. Their principles of civil liberty and jurisprudence are wholly different from ours, as well as the morals and habits of the people. The effect of their laws ought to have no influence here; and we should look, if any where, alone to

that country from whom, it is said, we borrow the system, and whose government, laws, and people, are nearest our own. That the bankrupt system has not been beneficial in England, Mr. S. said, could be easily shown. And, as it was matter of fact, rather than argument, he had lately examined, with some labor and care, the minutes of evidence taken before the select committee of the house of commons, appointed to consider the bankrupt laws and their operation in the year 1818, from which he had taken some extracts, which he should ask leave to read to the committee. As to the character of this evidence, and the weight it should have, Mr. S. said he could not do better than give the words of the committee, in their report to the house of commons:

"Your committee did not consider themselves at liberty to contemplate merely the case of particular and insulated defects, but felt themselves under an obligation to take a general and comprehensive view of the whole system of proceeding, under the present constitution of the bankrupt code. In the prosecution of their inquiry, your committee have sought that information, which was to direct their judgment, from professional men of extensive experience; and while your committee confess their unfeigned admiration of the truly upright and disinterested manner in which those gentlemen have delivered their evidence, with respect to a system for the continuance of which they might naturally be expected to feel some predilection, your committee cannot too earnestly recommend that evidence to the attentive consideration of the house."

Mr. S. then read various parts of the evidence referred to. He began with Basil Montague, the first witness, who said:

"That he believed it was common for the most undeserving bankrupts to obtain their certificates by fraudulent and improper means, to the great injury of the good creditor, and to the great injury of public justice; and he thought that it frequently happened that dishonest bankrupts, from having recourse to means from which honesty would recoil, had greater facility in obtaining their certificates than honest men possess."

J. F. Vandercom was of opinion, that the majority of "commissions were issued with the concurrence, and at the request of the bankrupt. He said it often happened, that the affairs of a bankrupt were in such a state as that, however unwilling he might be to fall under the odium of a bankrupt, he saw it to the advantage of his creditors and himself to acquiesce in the measure, and, therefore, he managed as he was directed to do, and an act of bankruptcy was committed."

Geo. Lavie—"He said that, as the bankrupt laws are at present administered, they afford advantage to no one except to bankrupts. Being asked whether his prepossession against the bankrupt laws did not arise from a strong opinion of their general insufficiency? he answered, most certainly; and he said he saw a great deal of it in the early part of his life, which had led him to the opinions he now entertained of the total inadequacy of the bankrupt laws, as now administered."

A. Waitham—"The following interrogatory put by the committee: 'Are you of opinion that the bankrupt law, as it now exists in this country, is a scandal and disgrace to it?' 'I have long considered it so: that it has held out a great inducement to dishonesty. Mr. Townsend the Bow street officer, once told me he had a conversation with major Semple, who said, Why, sir, I have been a fool all my life; I have not known how to go to work; I

have been running the risk of my life for trifling things; but, if I were to begin my life again, I would open a shop as a trader or merchant, and become a bankrupt, and make my fortune at once."

J. Ingram Lockhart, a member of parliament, and one of the committee. "The observations which I have to offer to the committee were written three years since, have been but little varied, and are the result, partly of an experience in country commissions, and partly, but chiefly, of frequent thinking on the subject. I have, in almost every commission in which I have been named, found that the bankrupt had acted with great injustice towards his creditors, generally with dishonesty and fraud, and always with imprudence and carelessness, of the wreck of his substance, which, in fact, was not his own, but theirs; and this conduct I can only trace to one cause, and that is, the facility with which almost every bankrupt goes through the operation of his commission, and the situation he is generally found in after his last examination, and the appearance he is enabled, by some means to make, and the connections he renews after his bankruptcy. The want of due investigation into his conduct, of a discrimination between the dishonest and unfortunate, appears to me to be a radical fault in this system of the bankrupt law, pervading the whole of it, and producing the most pernicious effects on the morals of the subjects of this realm."

Archibald Cullen—"The committee will be happy to hear your ideas on the subject of the bankrupt laws." He answers: "The bankrupt law was introduced with a view to prevent and punish the frauds of debtors, and to distribute their property equally among all their creditors. But it has not succeeded. However wise the original plan may have been thought, yet it does not now, even with all its subsequent alterations and accessions, appear to effect either of the objects which it professed; the property is not forth-coming or is wasted; the same frauds still exist, neither diminished nor punished; and a new class has sprung up, engendered by the very proceedings which have been instituted to prevent them: so that the prominent and growing evil of the present day, with respect to debtor and creditor, appears to be the bankrupt law itself."

This, said Mr. Stevenson, is the evidence of some of the most distinguished solicitors, counsellors, and commissioners of England, upon the effect of their system of bankruptcy; to which I beg leave to add one additional authority, that of lord chancellor Eldon, (reported in Vesey).

"The lord chancellor took the first occasion of expressing strong indignation at the frauds committed under cases of the bankrupt law; and his determination to repress such practices. On this subject his lordship observed, with warmth, that the abuse of the bankrupt laws is a disgrace to the country, and it would be better at once to repeal all the statutes than to suffer them to be applied to such purposes. As they are frequently conducted in the country, they are little more than stock in trade for the commissioners, the assignees, and solicitor."

Mr. S. said he would also refer, whilst he was on this part of the subject, to the report of the committee upon the subject of the bankrupt law in Ireland, to which the gentleman from Pennsylvania on yesterday had allusion; from which it would appear that the system had failed (not only in England) but Ireland:

"It will be seen (says the report) that, although much and very material evidence has been collect-

ed upon the operation of the bankrupt law in Ireland—establishing grievances of the most serious description, and indeed the total failure of the plan for any beneficial consequence, your committee have not proposed any measure to meet the evils which are the subject of complaint; they, therefore, feel it due to the house to state that they regard the statute by which the bankrupt system was established in Ireland, as of so modern a date, compared with the English statutes; that it occurs to your committee, that it might be proper to establish an entirely new system instead of the one which has proved so unsatisfactory; but, as it is essential that such a system should be formed, with reference to local circumstances, and to principles of jurisprudence, in a great degree peculiar to that part of the empire, and not familiar to your committee, it has appeared to them most respectful to the house merely to submit the evidence, and to leave ulterior measures to those who may be better qualified to form a judgment with respect to the alterations which it would be most for the public interest to adopt."

Now, continued Mr. S. I appeal to the candor of the gentleman from Pennsylvania, (Mr. Sergeant,) and ask him if he was not mistaken in the information given the house on yesterday, as to the causes of failure in England and Ireland, of the bankrupt system? He told the house that the three principal causes of defect and objection to the system were: 1st, The appointment of commissioners by the lord chancellor; 2dly, The conduct of the country commissioners; and 3dly, The manner and places of meeting to do business, &c. To these suggestions, Mr. S. said, he opposed the evidence just read, which proved, that the system was radically defective—productive only of mischief and fraud; corrupting their subjects; conferring none of the benefits it was designed to give, but a scandal and disgrace to the empire. This, said Mr. S. is the evidence of England herself upon the subject, and she is not to be discredited.

But it is said, that this bill differs in many of its provisions from the English statute; be it so: but in what? In some of its details, as to punishment, appointment of commissioners, assignees, &c. &c.—But has it not the bones, and sinews, and the vital parts, of the English system? Can the essential quality of crimes be diminished or changed by a new mode of dressing? Is fraud a crime? Is falsehood one? Is perjury? You have them all here. And, as this system has been marked in its progress for upwards of two centuries in England, by desolation, fraud, and perjury, so will it be here. If in that country, where the population is more dense, and territory limited, and where the facilities are so much greater, for enforcing a bankrupt system, is it not fair to suppose, that, as it has failed there, it will also fail here? We should forbear even from making another experiment. In governments, as in philosophy, Mr. S. said, we have been told more regard is due to the deductions of experience than to the allusions of hypothesis; and in the modifications of political power and change of laws, we ought not rashly to hazard changes which may only glitter with ideal advantages, and teem with real mischiefs. The house should, therefore, pause before they gave weight to the argument that this system should be adopted, as an experiment due to those who make the application, and so forcibly urged by the gentleman from Pennsylvania, (Mr. Sergeant).

But suppose, for argument sake, Mr. S. said, that the bankrupt system had not failed, but succeeded

in England. He contended that it would not do here, because its provisions were not suitable to the country, government, laws, or habits of the people. Few systems or laws of one nation can be put on another, and made to fit. There is a great deal in situation, local circumstances, government, jurisprudence, habits, morals of people, &c. &c. and, unless the system proposed be adapted to these, it will not suit: and this proves the fallacy of the argument of the gentlemen from Pennsylvania, (Mr. Sergeant,) which he ingeniously pressed on yesterday, that the same interests or systems will suit all nations. All theories are absurd, said Mr. S. which shall attempt to enjoin on one state what is or may be applicable to another.

Have we not already had one proof that this system, which is now urged upon this house as an experiment, has totally failed after a full and fair trial? The gentleman from Pennsylvania, (Mr. Sergeant) felt the force of his objection, and ingeniously endeavored to avoid it, by impressing the house with the opinion, that the old bankrupt law of 1800 was the offspring of party, and was ushered into being amidst the storms and excesses of party spirit, and therefore unpopular, &c. Of this fact, Mr. S. said, he could with certainty say nothing, being too young to know any thing personally of the occurrences of those times, but he might venture to say that, from the course of events which succeeded the coming in of the republican party, that the gentleman from Pennsylvania, (Mr. Sergeant,) was mistaken in the fact. We all know, Mr. S. said, there were certain laws which passed under what was termed the federal administration, and believed to be of a party character, which were, consequently, unpopular to the new administration, and continued to be so until repealed; the judiciary and bankrupt laws Mr. S. particularly alluded to—the one was directly repealed, and the other expired. But if this bankrupt law had been considered in those days of heat and contest, as a party measure, and intended as such, to be saddled on the nation by a party going out of power, rely on it, among the first acts done by the new administration, would have been the repeal of this law—it would have been expunged from the statute book which it stained, and not suffered to linger out an existence of so many years. Mr. S. said he therefore felt justified in saying, that the fact was not as the gentleman from Pennsylvania, (Mr. Sergeant,) had supposed; the law of 1800 was passed, (and he said it too in honor of the congress that passed it), from other and better motives—as an experiment called for at that time by the commercial part of the country, and which expired under the weight of its own sins. It ought then to be considered as a fair experiment, which the enemies of this bill had a right to claim, and which should have weight with the house.

But, said Mr. S. let us see what are the evils which are likely to arise under this system if it were to be adopted; among many the following may be taken as the most prominent: 1st. It will induce persons to contract debts, without any regard to the means by which they may be discharged, to the injury of the commerce and credit of the country. 2nd. By the great increase of litigation and expense to the people, by the number of courts, commissioners, changes of the board, conflicting decisions, &c. 3rd. The facility with which fictitious debts will be proved, (by ex parte affidavits) and consequent frauds, forgeries, and perjuries.—4th. The difficulty of dividing the property of the bankrupt early, getting it out of the hands of as

signees, and preventing them from speculating on it, &c. 5th. The mismanagement of assignees, and want of sufficient motives to insure activity and attention on their part to the affairs of the bankrupt. 6th. The ease with which undeserving men will get certificates, and the absence of all discrimination between culpability and misfortune. Besides these objections, there are others of a much stronger character. What said Mr. S. shall be said of the power given to these commissioners, to issue a warrant to any one authorizing the seizure, in any part of the union, of a man declared a bankrupt, and giving the right of dragging him from one quarter of this continent to the other? Whilst the murderer, who commits homicide in one state, and flies to another cannot be pursued and re-taken, but must be applied for through the executive authority of the state where he may be, a power is here given to a commissioner—no, to an acquitted felon, if the commissioner chooses to appoint one, a man without character and property, to seize, and carry, as a prisoner, a free man, from one end of the union to another—and no remedy provided by the bill for any abuse of this power—whilst no officer in one state can go into another, this man, named by the commissioner, not sworn, holding no office, and destitute of character and responsibility, is to be clothed with a power so unlimited and so dangerous to the personal liberty and rights of the citizens!

Again, by the 5th and 21st sections of the bill, the right is given the commissioners to issue their warrant, directing any one to break open the houses, chambers, doors, trunks or chests, of the bankrupt, and take possession of his papers, goods and effects, upon what they may consider to be probable cause, in direct violation, Mr. S. said, of the spirit, if not the letter, of the constitutional provision which declares, "that the right of the people, to be secure in their persons, houses, papers and effects, against unreasonable seizures, shall not be violated."

But there was another provision of this bill still more odious and detestable, and at war with all the best feelings of the human heart—it was that section which authorized the punishment, by imprisonment of the child, the devoted daughter whoshould attempt to aid her ruined and wretched father!—What are we to think of a system which denounces as criminal, acts that bring to their support the highest moral and religious sanctions; a system which requires to be sustained by tearing loose all those endearing and filial ties which unite, indissolubly, the parent and child, and which dignity and adorn the female character? Mr. S. said, that he was confident their could be but one sentiment in the committee upon this feature in the bill, and that was of the strongest reprobation: He urged the committee to reject, whilst they had it in their power, this bill, freighted, as he believed it was, with the most ruinous and dangerous consequences to the best interests of the nation; and concluded by declaring it as his opinion, that, if it passed, the people of this country would have cause unceasingly to deplore its defects, and imprecate its continuance.

Seventeenth Congress—first session.

IN THE SENATE.

February 15. Mr. *Lauman* submitted the following resolution, which was read and passed to a second reading:

Resolved, That a sum of money, not exceeding one hundred and seventy dollars, be applied, out of the contingent fund, for placing a neat monument, with a suitable inscription, over the grave of

the honorable William Burrill, deceased, late a member of the senate, from the state of Rhode Island.

The senate proceeded to the consideration of the bill to apportion the number of representatives according to the fourth census—the amendment reported by the judiciary committee, to strike out 40,000 and insert 42,000 as the ratio, being under consideration. A division of the question being required, the question was first taken on striking out 40,000 and carried—ayes 22, noes 16.

A debate of considerable length followed on filling up the blank with 42,000. Mr. *Knight* opposed it on account of the great injustice that would be done to the state of Rhode Island, which, from 83,000 citizens, would have only one representative. Mr. *Johnson*, of Ky. was in favor of a small ratio—he thought that the representation should keep pace with the population, at least to the number of 500 representatives. Mr. *Smith* said the committee was not unanimous in favor of 42,000—he had wished that it should have been 38,500, which would leave the smallest aggregate fraction. He hoped to see Delaware accommodated. Mr. *Barbour* wished that the principle of limitation as to members in the house of representatives had been fixed. He supported 42,000 as the best ratio, but deprecated an adjustment of the question by looking at minor considerations, hard as they might bear on some states. If 42,000 failed, he would vote for 38,500. Mr. *Chandler* thought that 42,000 would suit his state better,—but was willing to take 40,000 rather than set the whole subject afloat again in the other house. Mr. *Lloyd* said that the ratio fixed on by the house ought to be agreed to by the senate, unless some strong reason should appear for resisting it, for it related to its own numbers. No such necessity appeared. He was in favor of 40,000. Mr. *King*, of Ala. said there were no returns from six counties in his state, and hoped that the bill would be re-committed to allow time to receive them. If such provision was not made, he should vote for the highest number. Mr. *King*, of N. Y. expressed his acquiescence with 40,000—he thought it about as equitable as any other, and was unwilling to reject, without strong reasons, the number agreed upon by the other house. Mr. *Lowrie* was willing to insert a provision for the case mentioned by Mr. *King*, of Alabama—the senate, however, might proceed with the bill, or he should not object to a short postponement. Several other gentlemen spoke to the question, and the bill was postponed to Monday.

February 18. After other business—

The senate resumed the consideration of the bill to apportion representatives among the several states, according to the fourth census—the motion to insert a ratio of 40,000 being still pending.

Mr. *King*, of Ala. urged a re-commitment of the bill, on account of the peculiar condition of his state, caused by the death of the first marshal, and was opposed by Mr. *Holmes* and Mr. *Otis*, on the ground that the apportionment was imperative, and that it must not be done partially or by piece-meal—that such indulgence would violate the constitution, &c. Mr. *Walker* spoke at some length in favor of a re-commitment, and combated the doctrines of Mr. *Otis*—there was nothing in the constitution to prevent it, &c. He was supported by Mr. *Barbour*. Several other gentlemen took part in the debate. At length, Mr. *King* withdrew that part of his resolution which embraced the instructions, and the bill was re-committed.

A private bill chiefly occupied the remainder of the sitting, and the senate adjourned after 4 o'clock.

February 19. The bill from the house of representatives, for the preservation of the timber belonging to the United States in Florida, (authorizing the employment of the land and naval forces for the purpose) was taken up.

Mr. *Pleasants* explained the object of the bill—the necessity for the passage of which was founded on the fact, that as many as two or three hundred persons are now engaged in cutting down and sending off the valuable ship timber on the public lands in Florida.

After some further remarks, the bill was read a third time and passed.

Mr. *Smith*, from the committee on the judiciary, reported an amendment to the apportionment bill, in the words following:

Be it further enacted, That, as the returns of the marshal of the state of Alabama are not complete, (in consequence of the death of the former marshal, who commenced the enumeration in said state), nothing in this act contained shall be construed to prevent the state of Alabama from having three representatives, if it shall be made to appear to congress, at their next session, that the said state, at the time of passing this act, would have been entitled to that number, according to its population, and the ratio hereby established, if the said returns had been complete.

The senate then proceeded to consider the said bill and amendment. The latter presenting itself for consideration, and the question being on agreeing thereto—

A debate arose—finally, the amendment was agreed to by yeas and nays, as follows:

YEAS—Messrs. Barbour, Barton, Benton, Brown, of Louisiana, Brown, of Ohio, D'Wolf, Dickerson, Edwards, Elliott, Findlay, Gaillard, Holmes, of Me. Holmes, of Miss. Johnson of Ky. Johnson, of Lou. King, of Alab. Knight, Lanman, Lloyd, Lowrie, Mills, Morrill, Noble, Palmer, Pleasants, Rodney, Seymour, Smith, Southard, Stokes, Talbot, Taylor, Thomas, Van Dyke, Walker, Ware, Williams, of Tenn.—37.

NAYS—Messrs. Boardman, Chandler, Eaton, King, of N. Y. Macon, Otis, Parrott, Van Buren—8.

So the amendment was adopted.

The question was then again put on striking out 40,000, as the ratio—(the repetition of the question having become necessary by the recommitment of the bill)—and was decided in the affirmative, by yeas and nays, 25 to 20.

Various numbers were then proposed and lost—42,000—ayes 13; 47,000—ayes 10; 45,000—ayes 17; 53,000—ayes 8; 41,000—ayes 12; 38,500—ayes 15; 38,000—ayes 10; 37,000, rejected;—the vote to strike out 40,000 was re-considered, ayes 25; and

The question being again put on striking out the ratio of 40,000, (as the bill came from the other house), it was decided by yeas and nays, in the negative, as follows:

YEAS—Messrs. Barbour, Benton, Boardman, Dickerson, Eaton, Edwards, Gaillard, Holmes, of Miss. Johnson, of Ky. Lanman, Macon, Noble, Palmer, Pleasants, Rodney, Seymour, Smith, Southard, Stokes, Talbot, Van Dyke—21.

NAYS—Messrs. Barton, Brown, of Lou. Brown, of Ohio, Chandler, D'Wolf, Elliott, Findlay, Holmes, of Me. Johnson, of Lou. King, of Ala. King, of N. Y. Knight, Lloyd, Lowrie, Mills, Morrill, Otis, Parrott, Ruggles, Taylor, Thomas, Van Buren, Walker, Ware, Williams, of Tenn.—25.

The bill was then ordered to be read a third time, as amended, by the following vote:

YEAS—Messrs. Barton, Brown, of Lou. Brown, of Ohio, D'Wolf, Edwards, Elliott, Findlay, Holmes, of Me. Holmes, of Miss. Johnson, of Ky. Johnson, of Lou. King, of Ala. Knight, Lloyd, Lowrie, Mills, Morrill, Noble, Otis, Parrott, Ruggles, Taylor, Thomas, Van Buren, Walker, Ware, Williams, of Tenn.—27.

NAYS—Messrs. Barbour, Benton, Boardman, Chandler, Dickerson, Eaton, Gaillard, King, of N. Y. Lanman, Macon, Palmer, Pleasants, Rodney, Seymour, Smith, Southard, Stokes, Talbot, Van Dyke—19.

And the senate adjourned.

February 20. A petition was presented from Marcos de Villiers and Arnaldo Guillaumard, representing themselves as ancient inhabitants of West Florida, and illegally imprisoned by the acting governor thereof. Much doubt existed as to the direction which this petition should take—finally, it was laid on the table.

After other business—

The bill to apportion representation among the several states according to the fourth census, was read the third time, and passed (by yeas and nays, they being requested by Mr. *Rodney*, who said he would not take up the time of the senate in stating his reasons against the passage of the bill with the ratio which had been agreed to, as the minds of the members were made up on the subject)—ayes 26, noes 18; and was returned to the other house for concurrence in the amendment made by the senate.

HOUSE OF REPRESENTATIVES.

Friday, Feb. 15. The committee appointed to investigate the affairs of the post office department, in pursuance of the resolution yesterday passed for that purpose, consists of Messrs. *Sanders, Archer, Russ, Mallory, Butler, Buchanan* and *Neale*.

Many reports on private petitions were received, and laid on the table.

Mr. *McLane*, from the committee on naval affairs, reported a bill for the preservation of the timber of the United States in Florida, which was twice read and ordered to be engrossed and read a third time this day. [It was read a third time and passed.]

The speaker presented a communication from the treasury department, transmitting a statement relative to deputy collectors, &c. which, on motion of Mr. *Hull*, was referred to the committee on commerce.

The speaker also presented a communication from the treasury department, relative to the unavailable funds in certain western banks, &c. which was laid on the table, and the letter of the secretary ordered to be printed.

The house then resolved itself into a committee of the whole on the unfinished business of yesterday, (the bankrupt bill), Mr. *Taylor* in the chair.

Mr. *Barbour* (speaker) addressed the committee two hours in favor of striking out the first section. Mr. *Sawyer* took the floor on the opposite side, but, owing to the lateness of the hour, the committee rose and the house adjourned.

Saturday, Feb. 16. Mr. *Floyd's* resolution, submitted yesterday, (requesting information whether any foreign government had made claim to any part of the territory of the United States on the coast of the Pacific ocean) was read for consideration, and, after some remarks from him, agreed to, without objection.

Mr. *Cocke* said, the committee on military affairs had obtained, from the paymaster general, a statement of the saving which would be made in the expense of the military establishment by the passage of the bill now before the house for the better organization of the army—which statement, that all the members of the house might be put in possession of the information it contained, he moved to have printed. The motion was agreed to.

Mr. *Eustis* offered the following resolution; which was agreed to—ayes 58, noes 44.

Resolved, That the committee on military affairs be instructed to enquire into the expediency of reducing the number and the compensation of the corps of cadets, and whether it is expedient to make any alterations in the laws and regulations for governing the military academy.

The speaker laid before the house a letter from the comptroller of the treasury, transmitting a list of balances on the books of the register, which have remained unsettled for more than three years prior to the 30th of September last; which was laid on the table and ordered to be printed.

The house then again went into committee (Mr. *Taylor* in the chair) on the bankrupt bill,

Mr. *Sawyer* of N. C. addressed the house about an hour and an half against the motion to strike out the first section.

The committee then rose on the motion of Mr. *Gorham*, (who intimated an intention to deliver his opinions on the subject); and

The house adjourned.

Monday Feb. 18. Mr. *Woodcock* laid on the table the following resolution:

Resolved, That the secretary of war be directed to lay before this house a statement of the number of cadets educated at the military academy who have remained in the service of the United States five years; and the number who have received commissions and resigned, or have been discharged from service before the expiration of five years; also, the number that have left the military academy without commissions, and the amount of money that has been paid each; also, the amount paid to cadets between the time of their appointment and that of their being mustered at the academy, and the time of leaving the academy, and the time of receiving commissions and entering the service of the United States; also, the number educated at the academy who were in the service during the late war; also, the expense of maintaining the officers and instructors of the academy each year since 1802; and the expense of ammunition which has been furnished for the use of the academy; and the soldiers who have been stationed at the academy for the assistance of the officers and cadets since its establishment; and, also, the number of cadets educated at the academy since its establishment; distinguishing those who are the sons of officers and soldiers who have fallen in the defence of their country, or died in its service.

Mr. *Smith*, of Maryland, from the committee of ways and means, laid on the table certain letters from the secretary of the navy, transmitting information respecting the estimates for repairs and contingent expenses of the navy for 1822; which were ordered to be printed.

On motion of Mr. *Hardin*, it was

Resolved, That a select committee, consisting of seven members of this house, be appointed, whose duty it shall be to inquire whether any part of the public expenditure can be retrenched without detriment to the public service, and whether there be any offices or appointments in the government of the United States, which have become useless and unnecessary, and can be dispensed with, and that the committee have leave to report by bill or otherwise.

The bankrupt bill was then taken up in committee of the whole—Messrs. *Gorham* and *Wood* opposed the motion for striking out the first section.

Mr. *Fuller* intimated his wish to express his views of the subject—and the committee rose and the house adjourned.

Tuesday, Feb. 19. The committee appointed yesterday to devise ways and means to diminish, if possible, the public expenditures, consisted of the following gentlemen, viz: Messrs. *Hardin, Whipple, Tracy, Holcomb, Ross, Williams, N. C. W. Smith*.

The resolution submitted yesterday by Mr. *Woodcock*, calling for information relative to the military academy at West Point, was taken up. Mr. *W.* avowed friendly views in relation to that institution, but thought it expedient for its own benefit that inquiry should be made into the manner in which it had been conducted, and trusted that the result would put at rest those apprehensions that some gentlemen seemed to entertain on the subject.

The resolution, being so amended as to make it the duty of the military committee to enquire into the matter, instead of calling on the secretary of war for information, was agreed to.

After the submission of many resolutions not important to notice at present—

The speaker laid before the house a communication from the secretary of the treasury department, relative to compensation allowed to the persons employed to inspect the land offices in the territory of Michigan, which, on motion of Mr. *Cook*, was ordered to be laid on the table and printed.

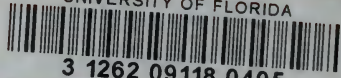
The speaker presented a communication from the secretary of war, in relation to divers revolutionary claims; which was referred to various appropriate committees.

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